

DEPARTMENT OF DEFENSE'S COM-
PREHENSIVE REVIEW OF INDOCHINA
POW/MIA CASES

Y 4. SE 2/1 A: 995-96/22

Department of Defense's Comprehensive... ING

BEFORE THE
MILITARY PERSONNEL SUBCOMMITTEE
OF THE
COMMITTEE ON NATIONAL SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
FIRST SESSION

HEARING HELD
DECEMBER 14, 1995



U.S. GOVERNMENT PRINTING OFFICE
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DEPARTMENT OF DEFENSE'S COMPREHENSIVE REVIEW OF INDOCHINA POW/MIA CASES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATIONAL SECURITY,
MILITARY PERSONNEL SUBCOMMITTEE,
Washington, DC, Thursday, December 14, 1995.

The subcommittee met, pursuant to call, at 10:35 a.m., in room 2118, Rayburn House Office Building, Hon. Robert K. Dornan (chairman of the Military Personnel Subcommittee) presiding.

OPENING STATEMENT OF HON. ROBERT K. DORNAN, A REPRESENTATIVE FROM CALIFORNIA, CHAIRMAN, MILITARY PERSONNEL SUBCOMMITTEE

Mr. DORNAN. The Military Personnel Subcommittee of the U.S. House of Representatives, National Security Committee, will come to order.

I have some opening remarks, and then I will defer to my distinguished colleague from Virginia for any opening remarks.

I am sorry for the delay. It took me about 25 minutes to get up the ice in my Virginia driveway, so I will assume that others had problems who reside outside the beltway.

Senator Smith is in the anteroom, will be in—there he is right now.

Senator if you will take the witness chair there, I will begin my opening remarks while you get settled in.

Good fight on the Senate floor last night. And I have never lost a vote, and seen people act like it was a victory so much in all my life. But in the House of Representatives, with no leadership support whatsoever, and losing 12 subcommittee chairmen like myself, two major committee chairmen, and half of the leadership to come within four votes of cutting off all funding to this very peculiar operation on the ground in Bosnia—I support everything else, and it's a lot—was, I guess, a victory of some sort.

I don't know if you know, Senator, but I got 70 out of 73 freshmen to vote in my 210, and 20 Democrats, including those who are most concerned about blue collar families, who give us those handsome young men and women who wear the uniform. So it was a fascinating fight last night. The media doesn't know what to make of it.

This hearing is a continuation of the congressional oversight process to account for our servicemen still missing in Southeast Asia that I have initiated as chairman of this subcommittee. And I restate that I always believed the portfolio for our missing should have stayed in this room, in the National Security Committee, where all these great battle streamers are, where all the plaques

are of the four military services and the Coast Guard, which in wartime serves under the Department of Defense. I always believed it should have been with this Armed Services Committee, now renamed the National Security Committee. And certainly, in a peacetime situation, the portfolio for this tragic missing and prisoner problem should be in Military Personnel. How it ever worked its way over to the geographical subcommittee, I'll never know.

This hearing follows a long night of debate on the administration's decision to send ground forces into what is turning out to be a weather hell of sorts in Northern Bosnia. We have already had one MIA there, mercifully for only 6 days, Capt. Scott O'Grady.

In addition, two U.S. servicemen were wounded on a mission to rescue the two French POW's, who as of last night were home with their families, kept—and I am the only Congressman or Senator who kept their names alive in Washington, DC, or actually in the whole United States, couldn't even get People magazine to do a story, Capt. Frederic Chiffot and Lt. Jose Sov.

During the ordeal of the French POW's, while they were MIA, like O'Grady and so many other POW's in Southeast Asia, they were pretty much written off as dead, probably dead, by American intelligence. This was told to me in the intelligence cell, the new one set up in the basement of the Pentagon, just last week.

I could not help but compare the agony of the French families to the ordeal that has been experienced over the last 31 years. If you used Ev Alvarez' shoot-down date of August 5, 1964, not knowing that Floyd Thompson had gone missing March 26, 1964 and was a POW for precisely 1 week shy of 9 years. And his wife waited for him all of those years. And he still suffers intestinal problems from 9 years of very brutal Communists captivity.

We had men missing in 1963 and their names are legion now to those that have worked on this issue for over 31 years, David Hrdlicka who went missing in 1964, others like Eugene DeBruin, missing in 1963, photographed in captivity, and escaped, full career with Eastern Airlines, transferred to other airlines and is retired now. It has been a long struggle.

The families, like the Hrdlickas who are with us today, an American airline pilot, David, Jr., with a Navy career as a fighter and an attack pilot behind him, his mom Carol, who is my Sally's best friend, at George Air Force Base, Kathy Borah Duez who will testify today—sacrificed the wounded American Special Ops troops in Bosnia, is hauntingly like the covert actions of American pilots and troops during the secret war.

One of the bullets hit their legs; if it had hit the rotor of the big Sea Stallions going in on the Marine trap operation, could have had a whole chopper down. That happened over and over and over with our unbelievably heroic rescue and SAR forces that operated deep into southern North Vietnam and all over Laos.

These men, the two men that were wounded in the Marine Corps, are already back on active duty and, I believe, still in the Adriatic area.

The American pilots and troops during the secret war, so-called, for freedom, against the North Vietnamese in Laos, when I visited with them in Laos in January 1970—shortly after I almost crossed paths with a 23-year-old graduate, mature Oxford student named

Bill Clinton, who was at a dinner pulling hard for a Vietnamese Communists victory, along with a United States Senator, Eugene McCarthy, the big dinner, the peace dinner at the National Hotel, January 2, we were locked up at the airport outside, within that week, with Sharon Nicivow, Carol Hanson, first head of the League of Families, and two other Air Force wives, and a Marine wife whose husband was alive on the ground with a Special Forces man they had just rescued; Steve Hanson shot down June 3, 1967, the Special Ops sergeants at Aboabinitio.

He was rescued again the second time. Steve and his crew, who were all alive, disappeared; one of them, his corporal door gunner turned up to be released in 1973, no word on Steve and the rest of the crew. Those stories are also legion.

But Carol Hanson was with me in Laos, in Sot Patrosi's office when he said I have tens of tens of prisoners. That sounded like 100 to all of us. We met with some of the pilots. One of them is a classmate of Art Herns.

I said, what do you do? He said, I'm a civilian. I said, well, I am wearing a pilot training ring and it sure looks like yours. What is your class 55 watt? I have 55 H. He smiles. He was flying combat in a T-28. We all know that.

A lot of guys thought they were following the lead of John F. Kennedy to end the chaos in Laos and that they were part of the struggle against communism, the major set fighting piece of the whole half century that Kennedy called the twilight struggle, deciding whether the world would remain half slave or half free, paraphrasing Lincoln. And they thought they were serving their country.

But I noticed when Clinton made his speech 2 weeks ago Monday, he mentioned Northern Ireland. He mentioned every conflict around the world, but he left out Vietnam. That is pouring raw salt right into the wounds of every single person who to this day, like myself, feels that Vietnam was an honorable struggle fought poorly and never with a strategic plan for a MacArthur-type victory, but that the cause itself, as Reagan said over and over, was a noble cause, absolutely perfectly coequal with Korea or any of the struggles since Vietnam, or with the liberation of France itself, and my father's three wound chevrons in World War I in Northern France.

I am still not going to get over that Clinton has this blind spot about Vietnam because he was giving succor and aid in Moscow and in London as a leader of the Fall Offensive, so named the Fall Offensive by Hanoi and some of the Communists who are still alive, and treated as war heroes by the likes of a war criminal named Robert Strange McNamara who pours salt regularly in the wounds of every person who sacrificed during this one set piece in the cold war called the Vietnam war.

The sacrifice of our wounded again reminds me of that period. The fate of those captured by Communists forces is known in most cases, many cases, not most, known only to God and, of course, to the Vietnamese Communists and their Pathet Lao surrogates who always resisted being called the puppet nation because they had a seat in the United Nations, as did Cambodia, as does Bosnia today; and Vietnam did not have a seat in the United Nations.

I don't believe we should give any further economic aid or political recognition, certainly not most-favored-nation status, to criminal regimes until they unilaterally and truthfully resolve the cases of heroes, such as my best friend in the Air Force, Dave Hrdlicka. This long overdue accountability effort has been strengthened by a provision that I cosponsored in the 1996 appropriations bill that denies funding for expanded United States diplomatic presence in Vietnam until that Communists regime, criminal in, I believe, its handling of this issue, truly fully cooperates in providing the fullest possible accounting of our missing heroes.

The 1996 Defense authorization bill, which just yesterday was agreed to by House and Senate conferees, it's closed, as we say here, it includes a revised and strengthened Missing Service Personnel Act, which underscores the definition of fullest possible accounting as, one, the return of a missing person; two, the return of remains; or three, and that's what we will be discussing today, a valid and documented explanation of why neither of the first two options is possible.

A new criteria has been established for negotiating with the Vietnamese Communists in a Defense Department Comprehensive Review, which was mandated by Congress under the sponsorship of Senator Bob Smith of New Hampshire. The review is a concise summary.

In addition, my staff has found a heavily redacted U.S. intelligence document, this one right here, which I will give later to my friend Secretary Winston Lord and to my new friend Gen. Jim Wold.

This is a new document from 1977, that confirms that the Vietnamese and the Pathet Lao Communist governments maintained and shared extensive archives on Americans captured in Laos, including those known and unknown to United States intelligence who were held in the caves of Sam Neua.

And I might footnote here that I had an hour long discussion with a great legendary general, a tank is named after him, the world's best battle drain, Gen. Creighton Abrams. I was with him in his backyard with soon-to-be president of the League of Families, Carol Hanson, Connie Hestle, African-American Heritage, whose great, handsome, colonel husband was the commander of academics at Nellis, training our F-105 pilots, in his late thirties, did not have to go to Vietnam and insisted on going, in F-4 Phantoms, and joined the young men that he had sent over there after many, many classes of training at Nellis.

Art Mearns, legendary F-105 Thud pilot who went right over Hanoi, his remains are back. I went to his grave at Arlington cemetery. One night—I forgot to tell some of my adversaries on the floor last night, when they questioned my support of the troops, which is ludicrous, I just commented you won't goad me into that. These were people who have never worn the uniform.

And I forgot to mention that they ought to come with me to some of these ceremonies at Arlington, like Tucker Guggleman, who was tortured to death in a Saigon prison in 1976. When some people, honorable people, were saying there was nobody left alive, his screams, a former Marine and an ex-CIA man who had only gone back into Hanoi and been captured in April 1975, had only gone

back to try and find his fiancée; and I had Tom Harkin of Iowa come on the House floor when he was a Member and say, hey, he was back in there chasing a girl.

That's the way he wrote off a Marine and a CIA honorable person who was beaten and tortured to death. And I was there on the ramp at Hickman when his remains came back in a small casket, all of his clothes still pressed from the cleaners, \$265 in change, Warren remembers—or I mean, Johnny Woods remember when Tucker Guggleman came back.

In addition, the Vietnamese are holding back original records and documents that comprise the basis of the named 559. Note/unquote, document of the Vietnamese that shows their knowledge of at least minimum 250 American MIA's in Laos. In addition, there are archives of Vietnamese Unit 959 in Laos; the Communist Party Central Committee archives in Hanoi, not eaten by bugs, not destroyed by humidity, kept in as good a condition as any piece of paper with the handwriting of Ho Chi Minh on it. They do keep archives and know how to keep them preserved.

There's also the Military Law Division of the Ministry of Defense that was responsible for mortuary affairs and the documentation of deceased Americans throughout North and Central Vietnam, all the areas of Laos under Vietnamese operational control.

So today I am presenting to the Clinton administration negotiators my list—and it's probably not as good as your list—of the top 24 outstanding MIA cases. I would say to the analysts that Hanoi, I believe, can easily unilaterally resolve, without involvement by American investigators or crash site teams, the fate of these men.

Most of these servicemen were known alive when we last had intelligence on them, or known to have perished as prisoners under Vietnamese control. This will be an important first step to test Hanoi's willingness to cooperate.

In the future, as my staff continues studying the comprehensive review, I will present more cases to the Vietnamese. I intend to travel to Vietnam after I have traveled to Tuzla, sometime after the first of the year, to personally inform the Hanoi regime that they are accountable to Clinton's campaign promise to America that the Government of Vietnam must be fully forthcoming.

Remember that the momentum shifted to candidate Clinton when my friend and honorable Navy 58-mission attack pilot, George Bush, found himself in a peculiar position and through an unfortunate choice of words, told the MIA League of Family members to shut up and sit down.

That was the end of that issue for an honorable man. It was too bad. So Clinton may have out-flanked him to the right, and has promises to live up to from 1992.

We will not play—I will not play a shell game of dredging out documents and records. And I am a little bit exhausted with seeing hard-working young Americans sweating in the humidity over there digging up cemeteries, when the Vietnamese know darn well they took the remains of our heroes out of that cemetery years ago. And they are going through a phony game, like it's an archeological site from 4,000 years ago, to supposedly get American cash into the villages, when the Communist Party confiscates all of the money.

A lot of these crash sites have been scavenged, scavenged by the Vietnamese years ago, and they play this cruel game. But then they did it with the French for decades and still do.

Congress cannot certify any more expanded relations or economic relations until we have made further headway in this. I know this comes as a great shock to Zwenig, one of Senator Kerry's chiefs of staff, who is now looking to make a lot of money in this trade relationship over there. There's a lot of psychological guilt left over from the Vietnam war which is being played out in the other Chamber, played out right up into the White House. And the cold war is not over for me, not with North Korea, China, Cuba, and Communist Vietnam still committing horrendous human rights violations.

I notice we have dropped Red or Communist in all relations to China until they have a horrible trial, Mr. Wei's yesterday where he gets 14 years for betraying his government; and there's not any single statement on the record anywhere where he has ever tried to hurt the Communist government in Beijing. He is merely a good human rights activist person. So the struggle goes on.

Let me introduce a gentleman who became a close friend of mine in the House. I had been elected in 1976, left in 1982 because my seat was gerrymandered out of existence, so I became a freshman again 2 years later in 1984. Bob Smith was in my class.

President Reagan invited 33 Members down to the White House—this is kind of an extension of my statement because I want Mr. Pickett to make any opening remarks, Senator. We went down to the White House. I am sure Bob Smith will remember this vividly. He had just been sworn in.

There were 33 of us. One had a seat stolen from him by Tony Coelho by four votes, the gentleman from Indiana, but there were 33, because I remember Reagan said, well, that's my lucky number. My football jersey was 33. So was Bob Dornan's. I was born in 1933. I remember it vividly.

And then they—Bob Michel was with us; he said, any questions? Nobody spoke up. I wanted one of the new freshmen, not a retread like me, to speak up. Silence. Finally I spoke up.

Mr. President?

Yes, Bob, good to have you back.

What do you know about the Bobby Garwood case?

Well, I am following it. I ask my national security people every day. Has Garwood brought back any intelligence?

I said, Mr. President, you owe it to the families to kidnap this man if he won't do this willingly. We will fight the civil rights case later and give him sodium Pentothal. I think he can be talked into doing it willingly. Give him sodium Pentothal and find out in this confused young ex-Marine, who is facing court martial, what he really knows about live Americans left behind.

And Senator Smith, did the President of the United States, the leader of the free world, Commander in Chief of the military services, not turn to a man named Bud McFarlane and say, well, Bud, can we do that?

And then President Reagan's staff proceeded to go through the old game of letting down the Commander in Chief who asked—his chief of staff Bill Clark told me—about our POW's every single in-

telligence briefing, which Nixon, by the way, hated and never got. It is in all the biographies.

And McFarlane says, well, we will look into it. We will look into it. And Bobby Garwood went off creating conspiracy theories and disappeared into the mist and then worked at an Arco station—or an Amoco station here in Virginia where I went to visit him at the station and chatted with him in his greasy mechanic clothes. A lot of strange stories involved here.

But let me turn to my ranking Member here, Mr. Pickett, for an opening statement and then we will get into your testimony.

STATEMENT OF HON. OWEN PICKETT, A REPRESENTATIVE FROM VIRGINIA, RANKING MINORITY MEMBER, MILITARY PERSONNEL SUBCOMMITTEE

Mr. PICKETT. Thank you, Mr. Chairman.

I want to also welcome our witnesses today, especially Senator Smith. Based on the testimony we heard from General Wold at our last meeting, the recently completed comprehensive review represents an important stepping stone to future actions by the administration, by the Defense POW/MIA office, and by the Joint Task Force Full Accounting.

The focus of our attention today will be to better understand just how the comprehensive review will contribute toward shaping future negotiations with the Vietnamese, as well as the work plans of the Department of Defense agencies that are directly involved in the effort to achieve a full accounting for our POW/MIA's.

We are privileged to have as witnesses today three key members of the Presidential delegation scheduled to go to Vietnam in January. We have heard abundant previous testimony that the Vietnamese unilaterally can and should provide data that will fully resolve a large number of cases and can help in the resolution of others. On occasion, we have heard testimony of superb Vietnamese cooperation, while at other times we have heard evidence directly to the contrary.

I'm most interested in hearing from the delegation their views on this issue. It's critically important to establish a common standard to measure Vietnamese progress and cooperation.

As you indicated, Mr. Chairman, establishing a benchmark for measuring Vietnamese cooperation would help—would be helped by the resolution of the 24 priority cases that are going to be presented by you to the delegation. That approach appears to me to get to the heart of the matter, and I think that the results on those will certainly tell us a lot about the direction in which we need to go.

Mr. Chairman, we have been delayed somewhat this morning by the weather, and in view of our large number of witnesses, I am going to reserve my further comments for later, but I look forward to hearing the testimony of our witnesses.

Thank you.

Mr. DORNAN. Thank you, Mr. Pickett.

And, Owen, I want to say something to you as a friend because you have been a friend. Sometimes I tend to bring back a lot of memories and a lot of recall on this issue and I appreciate that you have never said a word to me about some of my lengthy recollec-

tions about the past. But I think you understand, as Mr. Chapla, our chief of staff does, that I have worked this off and on with varying degrees of intensity since 1964, and had a keen intense in Korea and the way it ended, because as an aviation cadet at Williams Air Force Base in the summer of 1953—this is something that I wanted Secretary Lord to know—I had the Chief Army Psychiatrist come through; he was making a tour of all the bases in the country to solicit comments on the Code of Conduct and whether or not tough American ground forces and air crewmen can say name, rank, and serial number and not expect to have the living heaven beaten out of them.

And I remember the first American torture was a tough Italian-American named Guarini, I believe his name was, and he said, I am not going to talk to you enlisted people. Get me an officer. I am a U.S. Air Force major. Bam, a smash in the face.

One of his molar teeth went flying across the room and 30 days later some of his fellow prisoners could not recognize this emaciated American Air Force major he had been so severely beaten. Red McDaniel—did I say the name right? Was it Guarini? He was the first man, and there had already been cases of beating before that but that was the first case of a severe beating in Hanoi in the prison system.

So this is—back to 1953, when this psychiatrist came through and an Air Force major with him, I think named O'Hara, they wanted—they were telling us just as aviation cadets about to go to pilot training, what our input was, what we thought we should expect and live up to with the Code of Conduct. And that's when I first heard the figure 389 known category 1, healthy prisoners in prison, in June 1953, just a month before the July 27 cessation of hostilities. And that figure, 389, was told to Bob Smith and myself at Eighth Army—Second Division Headquarters in Korea, when we were on our way to Vietnam or maybe coming out of Vietnam in—around Valentine's Day. We arrived on Valentine's Day in 1980—

Senator SMITH. Six.

Mr. DORNAN [continuing]. Six. We had been in office 1 year on that second go-around. And that figure is still talked to the press if they ask, 389 known POW's from Korea.

Then I have a vivid memory, when I ejected from an F-86 Sabre jet in peacetime, the head of my accident board, who cleaned my record and said no pilot error, was a big, tall handsome Korean Air Fighter Pilot Heller—and I had already known his story, Heller, Parks, Cameron, and Fisher, held in northern Korea for 4 years after the war was over. Then what most diplomats know, the slip of a Chinese diplomat in that watering hole, the highest price city to live in, in the world, Geneva, said, "Well, we don't know what to do with Colonel Anderson's B-29 crew." And bingo, that diplomat went to Dag Hammarskjöld. He did the honorable thing, pressed the Chinese.

And pretty soon, through a different port of freedom, through Hong Kong, here came 11 of the 13 crewmembers. And I just had my staff give me the Life magazine article to refresh my memory. I haven't even read them, come to think of it. This is all from memory. And Anderson's crew came out through Hong Kong, 11 of the 13.

Who were missing? The two radar navigators who could establish they weren't over China, that they were over Manchuria, that they were over North Korea. So those two young men paid with their lives.

Then I went through Ohio and met with a young American who had been on that crew. He was a schoolteacher, and he told me the story of his captivity in China where he would open a slab of two boards and look out into the prison compound, and at least 50 Caucasians would be getting their exercise, squaring the quadrangle, and he said I could tell the Americans because they were looser, they were just more American. I could tell the Brits. I thought I could see other nationalities.

And he was for awhile put in the cell with John Downey, yeah, John Downey, who Bill Buckley almost brought out as a fellow Yale student in 1972, when you were working the Kissinger case, Mr. Lord. So there are lots of stories to indicate duplicity in Asia.

But let Mr. Smith begin his statement and you can do whatever you want with it, Senator, read it in its entirety, or read key parts, or submit it for the record.

But would you stand first? We gave you a warning on this.

I like to do it in this committee because it makes the families feel good.

Would you stand and for the umpteen time in your Naval officer life, take an oath?

If I have any of the other Senators over here, I want to be able to tell them that you did it.

Thank you, Senator.

[Witness sworn.]

Senator SMITH. I do.

Mr. DORNAN. I knew that.

All right.

Please proceed, Senator.

STATEMENT OF HON. BOB SMITH, U.S. SENATOR FROM THE STATE OF NEW HAMPSHIRE

Senator SMITH. Thank you very much, Mr. Chairman.

I apologize to the Congressmen and any of the witnesses for being late this morning if I held things up. I had a tough time getting home last night and a little tougher time getting in this morning. And I apologize for that.

Mr. Chairman, you alluded to our first meeting with President Reagan; and I have worked the issue in the Congress for some 11 years and you worked it, I don't know how many years, 10, or 11, or 12 years before I got here. And you, Congressman Gilman and others were certainly my mentors as I began to put the pieces together, try to put the pieces together as to what happened to our missing.

Mr. Chairman, I do have a statement for the record, and I would ask that it be submitted. I am obviously not going to read from a statement.

Mr. DORNAN. Thank you.

So ordered.

Senator SMITH. Let me just briefly give an overview here.

The issue here of Bosnia and the normalization of Vietnam is much the same in the sense that a decision has been made, A, to normalize with Vietnam and to open up diplomatic relations and, B, in Bosnia, to go there. We know that. And I don't think just simply re-hashing it for the sake of re-hashing it, speaking on the Vietnam issue, and to be critical of administration personnel is necessarily productive. But I do think it is productive to point out that these policies are in contradiction to other people within the Government who work on the MIA issue. And I think in that sense, if it helps to resolve cases on behalf of the families of the missing, then it is productive to point these matters out.

I have spoken at length from the Senate floor on this issue. I have had a couple of statements submitted to your committee. I think you have a lot of detail and a lot of background. So I am only going to summarize briefly.

I think as we look at Vietnam and as we try to resolve the cases of those missing in Vietnam, we also ought to be mindful, as you mentioned, Mr. Chairman, of Korea. Just as we saw in Vietnam, the Korean armistice did not result in the fullest possible accounting of our last known POW's and MIA's in Korea.

And over the past 40 years, we have just used the term "later protest"; in other words, we were going to resolve—sign the armistice, and get out, and we will resolve through later protest the issue of MIA's and POW's.

Mark Clark, in 1953, General Clark, told the New York Times, quote, he said that, "He had been advised by his superiors in the Pentagon not to delay the armistice negotiations over the prisoner discrepancy but to reserve the right of later protest."

What a horrible prediction of the future that turned out to be. Later protest in Korea turned out to be every 40 years right around the holidays, about this time, we would pass a note over with the 389 names and ask for information. And they would—

Mr. DORNAN. Senator, an important footnote. Would you agree that if the French had not made a determination at the highest level, Jacques Chirac, to screw up the signing today, earlier today in Paris, that we would not have gotten back those two French pilots that the Bosnian Serbs were lying about for 105 days? You have to make a stand when the negotiations are going on.

Senator SMITH. That's the time you have to do it. I think Chirac was right.

But the point is, we haven't talked for 40 years, and as you know, Mr. Chairman, I went to North Korea. I was very disturbed at the parallel between North Korea and Vietnam because of the fact that essentially in Vietnam we made the same mistake that we made in Korea.

We didn't get the answers and we left and we didn't talk—we did talk in Vietnam but we weren't talking to the right people and doing it the right way. So I, through a series of contacts with a low-level North Korean official in New York—who was in New York, as they began to work this process of becoming part of the United Nations, I set up a series of communications with him, and as a result of that, I received an invitation from Chong Sop Chow, the Vice Foreign Minister of North Korea, to come to Korea.

I went to the DMZ, as Sonny Montgomery, one of your distinguished members, had done before me, to receive some remains. I met the with North Koreans. We got some remains. I then went into the north, across the DMZ, at the protest of the State Department, but did go into North Korea. We sat down and talked to Chong Sop Chow. I then came back.

Mr. DORNAN. What year, Senator, or season and year?

Senator SMITH. It was June 1991. And then I went back in December 1992 to visit Pyongyang.

Mr. DORNAN. How many trips to Vietnam? Two to North Korea.

Senator SMITH. Five to Vietnam and two to Korea, North Korea.

The point I am making, in this visit with Chong Sop Chow, in North Korea, Mr. Chairman, we went to Pyongyang. I was the first United States Senator to ever visit Pyongyang. And it was interesting, the reception we received there, because they wanted to talk.

And Chong Sop Chow told me point blank that—he showed us pictures of Chinese guarding American POW's in Korea, in North Korea. He showed us the camps. He said, Senator, these camps were run by the Chinese and when MacArthur pushed to the Yalu River, we took—the Chinese took those prisoners and took them across the border. He said, we don't have any more.

Now, I don't know if he is telling me the truth about that but he said they took them to China. He told me that.

And also high ranking members of the Soviet, former Soviet intelligence community, told Senator Kerry and me the same thing, that American POW's from the Korean war were taken by the Chinese, given up by the North Koreans and taken to China.

So what happens in China? We are doing nothing. We are not talking to the Chinese about POW's and MIA's. We are just strolling along here on other things, but we are not talking with the Chinese about POW's.

Mr. DORNAN. Senator, could you pause right on that point? I don't know whose camera that is over there—when Mr. Pickett comes back, I am going to race over and vote—but I tried to develop, as you did, a good working relationship with the folks over in Crystal City under General Wold.

We are about to have some floodgates open in North Korea. They are going to let us come to graveyards where there are not a single missing crewmen in an area that's already been scavenged, they are going to have hundreds of remains come back from cemeteries that were overrun when a clique of spies in England, Andrew Boyle, Burgess, MacLean, and the infamous man who should have been killed by firing squad, Ken Philby, leaked to the Russians, who told their client state, who they advised to start the war in North Korea, that the Chinese were going to come in and we would not hit them in Manchuria, or even hit the bridges. So they came in with impunity and rolled back MacArthur in November 1950, bloody fighting in December, and overran huge—burial fields.

So we are going to have the Central Identification Laboratory [CIL] in Hawaii flooded with remains from the Korean war. It is so germane to what we are still talking about with Vietnam, that I wish there were a lot of cameras here because the American people find this out and they get so angry that they spin-off into some conspiracy theories. But they feel so let down by their Senators and

Representatives, who are not establishing the proper historical record here and preventing it from happening again.

And it could happen in Bosnia if in below zero weather up in those hills around Tuzla a squad of Americans, an antimine squad or an antiship patrol squad, disappears in the hands of one of the three groups that all lie. What are we going to do? And that's why Korea is key to a lot of this.

And what creates such anger within myself, because every time I went through the CIL in five out of eight trips to Vietnam, some with missing in action families, I would say, we are going to do it right this time, right? We are not going to relive Korea? And we relived Korea in spades.

I was hoping Mr. Pickett would be back by now. We are under a 5-minute rule.

So let me take a very brief recess here.

And would you ask Mr. Pickett, as ranking member, to readjourn and continue until I come back.

[A short recess.]

The shortest recess in history of the National Security Committee.

We will continue with Mr. Pickett.

MR. PICKETT (presiding). Thank you, Senator.

I know you have got a busy schedule and Congressman Dornan, Chairman Dornan, wants to accommodate you. So if you will just proceed on with your remarks.

Senator SMITH. Sure. I will continue through.

I was talking about the Korean situation, Mr. Chairman, and using that as a reference to Vietnam. Ambassador Lord testified before our Senate Select Committee in 1992, and in talking about President Nixon at the time he said—at the time of the end of the Vietnam war, he said the President in the end decided not to scuttle the agreement and resume the war over the MIA question.

And I think, again, as we saw from those hearings, there was considerable concern in the intelligence community then, there was in Korea, there was in the intelligence community in 1973, and there is today, that in some cases POW's, in some cases information and remains were clearly left behind. That was the information we had in the intelligence community.

Now, let me just make a few observations on the current policy and why I believe we have to highlight this policy because—if we are going to resolve some of the cases of our missing.

First and foremost, the President and the administration today, I believe, and I do not say that it's deliberate, but the facts speak for themselves, have essentially misled the American people with the rhetoric using this—these words of praise to Vietnam. They used—the administration, various people in the administration, have used words like unprecedented, superb, splendid, great, in terms of describing the cooperation of the Vietnamese with the United States on the MIA issue.

But the data base, the POW/MIA data base maintained by the intelligence community, says that is not true. And I would encourage you, and those folks who come up here, along with the policy people, to ask the intelligence people if, in fact, those terms, unprecedented, superb, splendid, great, are they being fully coopera-

tive. And I think you will find that the answer is, no. And I will give you plenty of evidence, and I think they can, too.

I believe that the issue of normalization took priority over the issue of MIA's. They will say otherwise but that's simply the facts speak for themselves, that we use the issue of normalizing and we let that issue drive the POW issue instead of the other way around.

Now, if we go back and look at some of the remarks, some of the comments candidate Clinton made during the election, he said, quote, "I think the Vietnamese would be making a mistake if they think they could get a better deal from me. I made real commitments to the American people and to the families, friends and POW's. We have got to have a full, complete, good accounting before we normalize relations," unquote. That was the President himself.

After the election, the President said, I have sent a clear message. There will be no normalization of relations with any country that is at all suspected of withholding information on missing Americans, at all suspected, his words.

Vice President Gore was even more direct. I will tell you this, he said in April 1993, quote, "The great push toward normalization of relations is strong, very strong, and a lot of other countries are moving there, but it's not going to go forward until we're satisfied that the Vietnamese Government has been totally forthcoming and fully cooperative in giving every last shred of evidence that they have on this issue. We are very concerned about it," unquote.

And I submit to you, Mr. Chairman, that when you hear the testimony of the intelligence people who maintain the data base, that that simply is not what has happened; that they have ignored the data base and moved on the fast track to normalization, I know this is a fact. I know we can't change it, and I am not bringing it up because I think we can change it.

But I am bringing it up because I think we need to understand that we are not getting full cooperation from the Vietnamese. We are getting cooperation, some cooperation. We are not getting full cooperation. We are not getting unilateral information from them, which they are capable of providing.

Now, what happened as this process unfolded? For months and months and months, I tried, as a Member of the Senate, to get the assessment, the cases, which were required by law and repeatedly promised by both the Secretary of Defense and Under Secretary of Defense. I discussed the exchanges of letters between Congress and the administration on this issue in my October remarks on the floor.

It was not absolutely superb, the cooperation, that I received, as Ambassador Lord stated. We are told that case assessments were completed in July, yet we received them only after Chairman Dornan threatened to subpoena. And I have a long record here of communication with the administration on this.

I received them last Wednesday, December 6; and I would urge you, Mr. Chairman, to ask the administration panel what took them so long. Why were we so long in getting information which was required by law?

I would also ask you to ask the policy level and the intelligence community folks whether they believe Vietnamese officials are

being fully cooperative. I would like—I would urge you to ask each member of the panel on both of those panels to ask them point blank, each one of them, are the Vietnamese being fully cooperative, yes or no?

Don't give them any wiggle room. Just have them answer "yes" or "no" to those questions.

And I think if you do ask those questions, you are going to see a schism between the policy people and the intelligence people.

Now, I have not in the past—and the intelligence folks know this, I have been somewhat critical of them, but I also respect them and I know that they know what the data base is. And I think they will be truthful, if you ask them, on those answers.

Now, I've only had these assessments for about 5 or 6 days, to be honest with you, Mr. Chairman. And I am just going to give you a couple of examples, and I would just ask you all to—if you are saying—if the administration is saying that we are going to normalize to get more information, that's one thing. But if you are saying, we normalize because they are being totally cooperative, that's another. And they are saying both. I am not sure which it is.

But here are—when I said that I wanted these case assessments, which I fought hard to get and had to put it into law to get, these are the—this is the data that's prepared by the intelligence community. These are the best cases that we believe the Vietnamese can provide us more information on and we have good reason to believe it.

Let me just cite a couple of examples, no names. I don't want to put the families through this, but I will just use generic examples. An American serviceman captured in 1969, a year later, 1 year later, a letter was found on the body of a captured Vietcong officer which had been written by the American. The letter revealed that he was alive in captivity and his wounds had healed.

Here is the Pentagon assessment:

This case involves a known captive of Communists forces whose fate is unknown. He was a military Region 5 prisoner. Two inquiries have been made to the Vietnamese by General Wold. It is difficult to believe that no documents exist which could shed light on this case and the Vietnamese should be tasked to unilaterally seek to find them rather than to exert their nonexistence.

That's a very good case. You can get into the specifics of it, if you wish, with the intelligence folks. But that's the kind of case I am talking about, where they have the information and they are not providing it to us and they can do it.

The second one, an American pilot shot down in 1972, we didn't know whether he could have survived. The Pentagon assessment says,

North Vietnamese media reports and special reporting attest to Vietnamese knowledge of this incident. The area where the plane was lost was under heavy enemy control. The North Vietnamese should know more about this case.

Two American pilots, another case, shot down by North Vietnamese forces in Laos in 1969, search and rescue not successful. In January 1993, witnesses told our team in Laos that the pilots from this incident had parachuted from the aircraft, were captured by Vietnamese units in the area and taken away. This crash was also reported on the Group 559 document of Vietnamese shoot-downs in

Laos. The Pentagon assessment goes on to say that the Vietnamese officials should have information regarding this case.

Ask them. They will tell you.

If they believe, the intelligence community believes, that the Vietnamese can provide more information on this case, why are we saying that the Vietnamese are totally and fully cooperative and why are we going ahead with normalization if they are not?

Last example, this is from New Hampshire, serviceman lost in 1971 in Laos, in August 1973 a source reported the serviceman died en route to a North Vietnamese hospital and was buried there. The source described the grave marker. It had the North Vietnamese designation for United States flying pirate. In March 1993, our team in Laos was told the North Vietnamese soldiers came there in 1988, 1988, excavated the grave and the markers and left with the remains.

The Pentagon assessment says this: "The only possibility for case resolution lies with the Vietnamese. To date, no information has been received from the Vietnamese in response to requests for information."

Point B, if the remains were taken back in 1988, they know what happened to them. They know where they are. We should insist that that information be provided to us before we go one step further with any normalization or any aid. Those are just a few examples, and there are dozens of examples just like that, Mr. Chairman.

The point I'm making, and I would like just a couple more minutes here, are we normalizing because of cooperation or are we normalizing to encourage it? Which is it? Which is it? Which is the policy?

The point here is the Vietnamese have not been fully cooperative. Any of your intelligence community witnesses can tell you that. And a high-level State Department official privately urged Members to reject their proposed language on funding for Vietnam because, in his words, and this is very serious, because, in his words, the President could not certify Vietnam was fully cooperating.

So if they know they are not being fully cooperative, they shouldn't use that kind of rhetoric. If the President can't certify it, he shouldn't be saying it and we ought not to be normalizing and misleading the American people saying they are being fully cooperative. That's the point.

And all this does—the reason why I am bringing it up here today in very strong terms is all this does is encourage the Vietnamese to be more recalcitrant. When delegations go over, congressional delegations go over, or private groups like the legion or anybody else go over, and talk to these officials and then the administration comes over and accepts what they say as being totally cooperative, it sends the wrong signal. We get nothing done.

I want to give you another couple of examples of something. Vinh Phu Province, a live sighting report, controversial true, but the reason I bring it up is here is an example where there has not been full cooperation.

We had a pretty good source that said that there were prisoners underground in this Vinh Phu Province. We have never been al-

lowed access there. We have never been granted access by the Vietnamese.

Why not? Why don't we ask for it? Why don't we insist on it? This is a pretty credible witness. Maybe he is lying. I don't know.

But we ought to be allowed to get access there. If they are being fully cooperative, let us go to Vinh Phu, let us go to where somebody said this prison is and find out if it exists. Not yet. To my knowledge, we may not even be asking. I don't know. How can you certify full cooperation, absolutely superb cooperation, when you can't even get to a site like that?

Again, other documents, Russian documents, the Vietnamese are clearly lying, clearly lying, when they say that General Quang never addressed the Politburo on the so-called 1205 document. Of course, he addressed the Politburo. General Dmitry Volkogonov, who just passed away, who really has done a tremendous service to the United States of America and deserves a lot of credit for his splendid cooperation at great personal risk to himself by opening up the archives and helping us find out information, he is a real hero, in my opinion.

Quang gave that speech. Volkogonov said to me, with a wink in his eye, Senator, we know he gave this speech. Now, we don't ask you to compromise your intelligence sources and methods and we are not going to compromise ours, but I am telling you he gave the speech. He gave the speech, Senator. We know he gave it.

Now, we just brush that aside. It's not even being talked about now. It's not even in the mix as far as the President's position on normalizing with Vietnam. We just don't even focus on that issue.

The Vietnamese records on Laos is another example. In February 1973, Nixon told the North Vietnamese Prime Minister in a cabled message: It is inconceivable that only 10 of 317 American MIA's lost in Laos were on the prisoner list.

One week later, Dr. Kissinger went to Hanoi, and Ambassador Lord has stated he accompanied Kissinger on the trip, before they left they were given a memo from the Director of the DIA, Admiral Depoy, which stated that 215 of the MIA's in Laos was lost under such circumstances that the enemy would at least have basic knowledge of their disposition.

Two weeks ago, Mr. Chairman, the Pentagon analyst under oath told your committee there are now over 250 MIA's from Laos where it has been confirmed that the Vietnamese have knowledge of what happened.

Why do we not insist on that information before we normalize, when we know they have it? Our analysts tell us they have it and yet we say they are fully cooperating.

They are not fully cooperating and we can't certify that they are fully cooperating, which is why the President didn't want the language in the bill. It's not absolute cooperation and it's not superb and it's not full.

When the Vietnamese turned over the hastily prepared summary of aircraft they shot down in Laos in September 1993, the so-called 559 document, since 559 was the MBA unit in Laos, the official conclusion of the analysts was, and I quote, this is very important, "The analysis of this document makes it clear that the Vietnamese have additional group 559 records." This document makes explicit

reference to wartime documents from which information was obtained. Do we have that information? No.

We ought to get it. And they ought to understand, you get no money, you get no mission, you get no ambassador, you get no nothing, if I can use bad grammar, until we get those records. But we are not going to insist on them.

It's clear from what I have just described that the President and his advisers in the State Department, again, I know it's harsh, but you are misleading the American people, gentlemen. You are misleading the American people. They are not being cooperative. They are not being superb. They are not being absolute. They are not doing all they can do.

They can do more and they don't—you don't have to be digging around out in the countryside to find it. You go to the archives. That's where you are going to find the person that I referred to that they took his remains in 1988, that's where you are going to find him, somewhere in Hanoi, not buried out in the countryside. They moved him.

Let me conclude on a case, Mr. Chairman, because Mary Matejov is here today and I don't know whether the Chair or any of the members wish to talk with her, but this is a very interesting case and I just want to highlight it because—not because I know any more about it than the analysts or anybody else, because I don't know, but because of the fact that it's such an example of why we should be more insistent, and that's the Baron 52.

I am going to be very brief here, but I have a full analysis of the Baron 52 case, Mr. Chairman, which I just would ask that it be entered into the record of your committee.

Mr. PICKETT. It will.

[The following information was submitted for the record:]

INDEX AND SUMMARY OF INFORMATION IN SENATOR SMITH'S
BARON 52 CASE FILE

in chronological order-dates are Washington time unless specified

FEBRUARY 4, 1973 -

11:05 A.M. EST Washington -- 11:05 P.M. February 4/Laos:

An Air Force EC-47Q aircraft with call sign "Baron 52" departed Ubon Airfield, Thailand, on an operational mission over Laos with 8 crewmembers on board. The mission of the crew was to locate and identify enemy tanks on the Ho Chi Minh trail whose presence had been suspected based on sensors which had been placed along the trail.

12:10 P.M. EST Washington -- 12:10 A.M. February 5/Laos

Baron 52's Commander communicated with an AC-130 also flying over Laos and it was agreed that Baron 52 would fly in the southern portion of the assigned area (11G) in Laos, and the AC-130 would fly in the northern portion (11G).

(Note: According to the Command History of the 6994th Air Force Security Squadron, there was heavy enemy tank movement through this assigned area during this period, and there was also concern about AAA and possible SAMs in the area.)

1:25 P.M. EST Washington -- 1:25 A.M. February 5/Laos:

Baron 52 reported to a fast FAC reconnaissance flight that they had evaded or were "receiving" hostile "radar-controlled" 37MM anti-aircraft ground fire over Laos at XB975710. (time subsequently doublechecked by airborne command and control center 'Moonbeam' and confirmed to have occurred at 041825Z or 1:25 A.M./5 Feb. Laos)
(See February 4th log of Air Force Operations Center)

1:30 P.M. EST Washington -- 1:30 A.M. February 5/Laos:

According to reports, Baron 52 called in an Operations Normal Report to the Lion ground control intercept site at Ubon, Thailand as scheduled and a radar plot was made at 1452N 10643E.

1:40 P.M. EST Washington -- 1:40 A.M. February 5/Laos:

According to subsequent reports, "last radar contact was

1840 Zulu (or 1:40 P.M. EST Washington)."

2:00 P.M. EST Washington -- 2:00 A.M. February 5/Laos:

Baron 52 failed to call in a scheduled Operations Normal Report to either the Lion ground control intercept site at Ubon, Thailand or the airborne command and control center (Moonbeam).

2:15 P.M. EST Washington -- 2:15 A.M. February 5/Laos:

Two FACS (F4) were diverted to Baron 52's last reported location to perform a communications search. Another EC-47 flying in the area (Baron 62) also conducted a communications search with negative results.

2:35 P.M. EST Washington -- 2:35 A.M. February 5/Laos:

An Owl 5/6 F-4 from the 8th Tactical Fighter Wing was diverted to search for Baron-52.

6:00 P.M. EST Washington -- 6:00 A.M. February 5/Laos:

Search and Rescue efforts were initiated according to subsequent reports (2300 Zulu 4 Feb. 73 or 6:00 P.M. EST Washington)

A visual search was conducted by FACS (F-4) starting at first light (around 6:00 a.m.) with a search pattern established in a 5.5 nautical mile radius from Baron 52's last report location.

8:22 P.M. EST Washington -- 8:22 A.M. February 5/Laos:

NSA intercepted a communication by a North Vietnamese unit and reported as follows:

Declassified NSA immediate precedence message dated 05/0124Z (8:24 AM 5 Feb. Laos/VN -- 8:24 PM 4 Feb. Washington) reads:

"05/2122Z Feb 73 Captivity of Four Pilots...Group 217... (redacted)...is holding four pilots captive and the group is requesting orders concerning what to do with them from an unidentified unit probably ...(redacted)...subordinate the 559th... (redacted)..."

"Comments: ...(redacted)...that group 217 is possibly located in vicinity of Vinh/BT9."

9:00 P.M. EST Washington - 9:00 A.M. February 5/Laos

The Pacific Air Command reported to the Air Force Operations Center the following information:

"EC-47, Baron 52, has been located 45 nautical miles SE of Saravane, Laos. SAR has been initiated. Aircraft appears to be a combat loss."

FEBRUARY 5, 1973 -

12:48 A.M. EST Washington -- 12:48 P.M. February 5/Laos

NSA intercepted an enemy communication and reported the following information:

"...(redacted)...shootdown of an unidentified aircraft."

"Comments: The type and nationality of the aircraft is unknown. No ...(redacted)... crew status or date and location of the shootdown. This report based on preliminary analysis."

The report is issued by NSA as an immediate precedence message at 1:30 A.M. EST Washington. (050630Z)

1:00 A.M. EST Washington -- 1:00 P.M. February 5/Laos

An immediate precedence message from the Air Force indicated: (source of report is unidentifiable on file copy)

"Search is in progress at this time with negative results."

1:37 A.M. EST Washington -- 1:37 P.M. February 5/Thailand

Search and Rescue efforts "are continuing" according to an immediate precedence report from the Air Force (source of report is unidentifiable on file copy).

9:20 A.M. EST Washington -- 9:20 P.M. February 5/Laos

Family members began being notified in person by Air Force officers that their loved ones were "missing in action in Laos."

1:00 P.M. EST Washington -- 1:00 A.M. February 6/Laos

The weather in the Baron 52 loss area was reported to be "clear/7 miles visibility."

4:35 P.M. EST Washington -- 4:35 A.M. February 6/Laos

NSA issued a priority precedence message as follows:

Declassified NSA priority precedence message dated 05/2335Z (4:35 AM 6 Feb. Laos) reads:

"Unidentified NVN element...Movement of Prisoners..."

(redacted) presently group 210 has four pirates ((2)) : they are going to the control of Mr. (redacted) ((3)) ... : they are going from 44 ((4)) to 93 ((4)), they are having difficulties moving along the road..."

- "((2)) Usually ...(redacted)... American pilots:
- ((3)) Possibly associated with Binh Tram 14
- ((4)) Unlocated kilometer marking:"

6:55 P.M. EST Washington -- 6:55 A.M. February 6/Laos

A message was issued concerning the handling of the names of the crewmembers of Baron 52. (Actual message not in our file -- only references to it.)

FEBRUARY 6, 1973 -

7:05 A.M. EST Washington -- 7:00 P.M. February 6/Laos

The Air Force reported that the visual search continued during the day in Laos "with no results."

The weather during the day was reported to have been "broken to overcast" in portions of the search area.

5:55 P.M. EST Washington - 5:55 A.M. February 7/Laos

The Baron 52 crash site was reported to have been located by an OV-10 aircraft and photographed by FACs on the scene (three photo recess conducted). The location was reported as 153755N 1065958E - YC143291, 6.3 nautical miles southeast of Ban Phak - Houay near Route 96(B).

FEBRUARY 7, 1973 -

At 7:01 A.M. EST Washington -- 7:01 P.M. February 7/Laos, Air Force issued a report on the discovery of the crash site which stated in part:

"At 06/2255Z, Rustic 04 (OV-10) located a crash site at YC 143291...The wreckage had burned so positive identification was not possible. The following information was obtained: It was a 2 engine reciprocating aircraft on its back: the bottom was painted white or light gray: and wheel wells were located on engine nacelles: yellow containers were seen close by the wreckage: the aircraft has a broad wing chord: it impacted downslope from a ridge 100 feet from a stream. Elevation of crash site was 2015 feet."

"Wreckage is primarily intact but small section was seen approximately 200 meters west of main site. In the opinion

of two of the FACs who reviewed the crash site, the wreckage is a recent crash of a C-7, C-46, or C-47. FAC's on scene directed 3 photo recess over the site. Film is being processed at this time. Film should produce good results. Search of other areas today produced negative results."

FEBRUARY 8, 1973 -

3:00 P.M. EST Washington - 3:00 A.M. February 9/Laos

Section B of Item 7 of NSA's (Weekly) Southeast Asia Summary Report contained the following information under the heading:

"General Developments Laos"

"Concern over the movement of four captured fliers of unknown nationality was expressed 5 February ... (redacted) ... an unidentified "Group 210" ... (redacted) ... element ... (redacted) ... The fliers were to be transferred from "44", probably a reference to kilometer marking 44 (XD 495254, 16-30N 106-23E) on Route 914 to "93", probably a reference to kilometer marking 93 (XD 549505, 16-43N 106-27E) on Route 1032. The fliers are probably en route to the Binh Tram 9 area, since two unidentified personalities at Binh Tram 9 were to be contacted about their movement."

10:30/10:50 P.M. EST Washington -- 10:30/10:50 A.M.
February 9/Laos:

The Search and Rescue team was launched from NKP, Thailand in two 'Jolly Green' helicopters and headed to the reported location of Baron 52 in Laos.

FEBRUARY 9, 1973 -

1:20 A.M. EST Washington -- 1:20 P.M. February 9/Laos:

A Search and Rescue Team consisting of three pararescue men (PJ's) and a radioman from the 6994th Air Force Security Squadron at Ubon was lowered into the crash site by a hovering helicopter for approximately 40 minutes.

4:00 A.M. EST Washington -- 4:00 P.M. February 9/Laos:

The SAR team arrived back at NKP, Thailand.

8:00 A.M. EST Washington -- 8:00 P.M. February 9/Laos:

The search and rescue effort was formally suspended.

The two aircraft commanders of the 'Jolly Green' helicopters

issued a report on their activities which they signed. The report stated, in pertinent part:

"Jolly Green 60 lowered 3 PJ's plus a technician to the crashed aircraft to recover bodies and get positive identification of the aircraft. The aircraft appeared to have crashed nearly vertically and upside down. Both wings were sheared off and the fuselage was completely gutted by flames. The only portion left intact was the tail. After about 45 minutes in the hover, Jolly Green 60 recovered two of the PJ's and then because of fuel shortage, egressed the area. Jolly Green 71 then proceeded to the area and picked up the two remaining men...The PJ's recovered the upper portion of one body and positively determined that all crewmembers had perished."

8:20 A.M. EST Washington -- 8:20 P.M. February 9/Laos:

An Air Force message on the SAR effort from NKP, Thailand read:

"There was no unfriendly activity reported during the mission nor evidence of any previous activity in the area of the crash site."

10:00 P.M. EST Washington -- 10:00 A.M. February 10/Laos:

The 56th Special Operations Wing at Nakhon Phanom, Thailand filed their "Final Loss Report" on Baron 52.

The report stated, in pertinent part:

"Target Area Defenses Encountered: 37MM & 23 MM located 15 miles west and 18 miles northeast of crash and 37 MM located 11 miles southwest & 12 miles northwest."

"Cause of loss was unknown, however, there were reported firings of guns positioned (as noted above) at the same time as the loss."

FEBRUARY 10, 1993 -

At 6:19 A.M. EST Washington (6:19 P.M. Thailand):

An Air Force casualty message was sent to Washington from Nakhon Phanom, Thailand on the SAR operation. The report reads in part:

"The radio man reported seeing remains of 3 persons but one of the pararescue men said that he found remains of 4 of the crewmembers. The fuselage section of the plane was totally gutted by what must have been an extremely intense fire. Everything in the fuselage was reduced to ashes or melted,

including the electronics gear. The head and upper torso of one of the crewmembers was recovered...no other remains recovered."

At 7:23 A.M. EST Washington (7:19 P.M. Thailand):

A subsequent Air Force casualty message was sent which reads in part:

"Although the aircraft wreckage has been found, not all of the bodies were found, and none were identified." (Note: the one set of remains recovered later identified as co-pilot's)

"The Commander feels that there is a chance that one or more of the crewmembers could have bailed out and landed safely on the ground. Therefore, in accordance with the provisions of AFM 30-4, Para 2010B, there is not conclusive evidence of death."

FEBRUARY 12, 1973 -

An informal request was made by the USAF 6994th Security Squadron in Thailand for information from the National Security Agency concerning the shootdown of Baron 52.

FEBRUARY 13, 1973 -

The USAF Security Squadron Director of Operations at Kelly AFB, TX requested copies of the photographs of Baron 52 (presumably the crash site).

Colonel Francis A. Humphries, Commander of the 8th Tactical Fighter Wing at Ubon, Thailand, sent a letter to the next of kin of missing crewmembers which stated, in pertinent part:

"It is with regret that I inform you that the search for your son has been terminated. After locating the crash site, a helicopter was dispatched to the scene and a rescue team was lowered to inspect the wreckage. The aircraft was almost totally destroyed. The team reported finding human remains that have been positively identified as belonging to another crew member."

"After careful consideration, I feel that there is a possibility that one or more crewmembers could have parachuted to safety, therefore your son will continue to be carried in a missing status until a final determination can be made."

FEBRUARY 14, 1973 -

The USAF 6994th Security Squadron in Thailand provided their reasons in a cable to NSA on why they had requested additional information on the 12th.

Their cable to NSA read:

"A. (Section 7 of NSA's 'weekly' SIGINT summary of February 8th) 082002Z reported concern of NVA(?) over moving four "fliers" from KM 44 (?) to presumably the Binh Tram Nine area on 5 February."

"B. Believe use of the term "fliers" vice "pilots" may be significant. Presumably NVA units know allied pilots are officers. Use of the term "fliers" may indicate that they are enlisted. USAFSS crew (Baron 52 backseaters) was three E-4's and one E-5."

"C. KM-44 (?) is approximately sixty five nautical miles from the crash site. Depending on the flight path of Baron-52, as well as prevailing winds that day, believe USAFSS crew members could have bailed out and possibly been carried north by the winds. Wing tips were found north and west of the crash site, possibly indicating that Baron-52 was on a southeast course when it impacted. This could have put the possible bail-out point considerably closer to KM-44. At any rate, do not believe it unreasonable that crew members could have been carried 65 nautical miles from the crash site the following day -- either under their own power or as prisoners."

"D. Would the NVA be expected to be transporting prisoners, held for a long period in Laos, north at this time? Realize that with present prisoner repatriation this is a possibility, however, if evidence exists to the contrary believe that this might indicate that the "fliers" were recent captives."

"E. Only three bodies were found at the crash site. Had the backend crew stayed with the aircraft, believe that remains of at least one other body would have been found at the crash site."

"F. While the above items are admittedly speculation, we feel that they are deserving of a long hard look. Therefore, request any information that you have that might support or refute the above comments."

At 6:45 P.M. EST Washington, the National Security Agency replied to the above message from the 6994th USAF Security Squadron stating:

"1. Find your speculation very interesting and agree that the crew could have bailed out at a point closer to KM 44 ...(redacted)...than the crash site. Considering the time

factor of approximately four and one half hours between time of last contact with the aircraft and time of ... (redacted) ... concerning the four prisoners, and considering that vehicle transportation for the prisoners was indicated ... (redacted) ..., it is possible that they are crew of the EC-47."

"2. The term for "fliers" in the 5 Feb (message) is commonly used by the NVA to refer to air crew members including pilots, navigators, gunners, etc.. The use of this term ... (redacted) ... does not exclude the possibility that the four prisoners were enlisted air crew members but does not necessarily indicate such since the term had been used to refer collectively to B-52 crews downed in December in North Vietnam."

"3. For your consideration, herewith is a recap of the ... (redacted) ... involving this activity. Although ALCON have been alerted, there have been no additional reflections of the disposition of these "fliers."

"4. Four fliers, whose nationality was not disclosed, were located on 5 February in the general area north of Muong Nong in the Binh Tram 33 area. According to the ... (redacted) ..., the fliers were to be transferred from "44", a probable reference to kilometer marking 44 on Route 914 (XD 495254, 16-30N 106-23E) to "93", a probable reference to kilometer marking 93 on Route 1032 (XD 549505, 16-43N 106-27E), and are apparently en route to the Binh Tram 9 area, west of the DMZ in Laos. Two unidentified personalities in the Binh Tram 9 area were to be contacted concerning their movement, and, if problems were encountered, higher headquarters was to be notified to supply 'ways and means' (probable reference to trucks) to move the fliers. Sufficient water was to be given to the fliers."

"Specifically, an unidentified personality associated with an unidentified Group 210, or Group 210B, probably in North Vietnam, stated that there had been some difficulties in transporting the fliers. He asked that the Binh Tram 9 personalities check to see if the problems had been resolved so movement could continue. The Group 210 personality also asked that he be notified of their time of departure as he was waiting for them."

FEBRUARY 16, 1973 -

At 5:42 P.M. EST Washington, the USAF Security Squadron in Thailand sent a message with enclosed messages to "USAF.." (unidentifiable on file copy) which began:

"...possibly relating to EC-47 crew...following messages

quoted for your information in event related
...(redacted)... obtained."

The message went on to quote in full the February 14th exchanges between NSA and USAFSS (quoted above under 14 Feb.).

FEBRUARY 17, 1973 -

An NSA immediate precedence message (since declassified) read:

"-- Probable headquarters 591st AAA Regiment, Report on Shootdown --"

"All of the units are to fire at the enemy aircraft during the new season. It has been reported that the people involved in the South Laotian Campaign have shot down one aircraft and captured the pilot/pilots. It requested that all of the units go out and look for pieces of the aircraft. If it is found that the aircraft is too far away to pick up the pieces, report to the regiment so that they can take care of it. This is to be done immediately. You are to report back on the 19th. This is all the time that you have to report. It has to be reported by the 19th."

FEBRUARY 20, 1973 -

At 7:30 P.M. EST Washington, the father of one of the missing Baron 52 crewmembers telephoned the Air Force Casualty Office at the USAF Military Personnel Center at Randolph AFB TX to request elaboration on the statement by Colonel Humphries in his February 13th letter that "...one or more of the crewmembers may have parachuted to safety."

The officer on duty, Captain Richard J. Moline, informed the father that "the severity of the crash, possible explosion upon impact, or a bad fire could have made recovery of other remains impossible."

According to Captain Moline, "He did not want to accept this and asked that I request the commander to elaborate on the above quoted statement. I told him we would request an elaboration."

FEBRUARY 21, 1973 -

At 8:00 A.M. EST Washington, Captain Moline had a message prepared "to request clarification of the search termination letter" signed by the Commander of the 8th Tactical Fighter Wing at Ubon, Thailand on February 13th.

According to Captain Moline's duty log, "However, Colonel Gratch and CWO Scott decided that another message covering more questions and recommendations would be more appropriate. This message was prepared and dispatched..."

At 3:00 P.M. EST Washington, The Air Force Military Personnel Center at Randolph AFB Texas sent a message to the USAF 56CSG at Nakhon Phanom, Thailand concerning Baron 52 which read in part:

"...Request the Commander carefully evaluate all known information pertaining to this incident to determine if submission of death reports may be appropriate. If status change is not made (from MIA to KIA), request that we be provided more complete information on what was seen at crash site and what efforts are being made to re-enter crash site area to obtain further information on which to base a status change."

FEBRUARY 22, 1973 -

At 8:07 A.M. EST Washington, the USAF 56CSG at Nakhon Phanom, Thailand responded to the USAF MPC at Randolph AFB TX, stating in part:

"The Commander, 56 Special Operations Wing, has made a review of the available facts and has further reviewed paragraph 2-108 of AFM 30-4. He believes that there is no reasonable doubt that all the members of the crew of Baron 52 were killed in the crash. This decision was coordinated with the Commander of the 8th Tactical Fighter Wing."

On the same day this message was received, the status of the crewmembers of Baron 52 was officially changed by the Air Force from 'Missing in Action' to 'Killed in Action'.

FEBRUARY 23, 1973 -

At 1:15 A.M. EST Washington, the USAF 6994 Security Squadron at NKP, Thailand sent a message to the Air Force Security Squadron headquarters at Kelly Air Force Base, Texas which stated, in part:

"1. The status of all crewmembers aboard Baron-52 has been changed from MIA to KIA. Based on information reported in Ref A (the February 16th messages quoted above), the Detachment 3, 6994th Security Squadron Commander (at Ubon, Thailand) feels there is some doubt as to KIA status, particularly since there were no backend crew members bodies seen/collected at the crash site, nor was a thorough sifting of the debris made."

"2. The 8th Tactical Fighter Wing Commander (Colonel Frances A. Humphries at Ubon, Thailand) has asked if there is any ... (redacted) ... information concerning the crash. He apparently held ... (redacted) ... during past assignment, but is not cleared now. I have told the Commander at Detachment 3 (at Ubon, Thailand) that neither he nor cleared navigators at the 361st Tactical Electronic Warfare Squadron (at Ubon, Thailand) are permitted to sanitize the information (from NSA) in the referenced message to the Secret level, but that I would pass the matter to the USAF Security Squadron (HQS at Kelly AFB TX) for decision on release, or availability of new information."

"3. Request immediate response on answer to be given to the 8th Tactical Fighter Wing Commander to aid him in KIA/MIA decision. He has been informed that a query has been sent forward to determine if any additional information concerning the crash is available in all source intelligence."

FEBRUARY 27, 1973 -

Upon authority from HQS USAF Security Squadron at Kelly AFB TX, the Commander of USAFSS at NKP, Thailand authorized the following release of sanitized intelligence information to Colonel Humphries, the Commander of the 8th Tactical Fighter Wing at Ubon, Thailand:

"1. According to a reliable source, the enemy was moving four prisoners on trucks northward along Route 914 in Laos on 5 February 1973. This source reported they may have been en route to a staging area in Laos just west of the DMZ."

"2. It is speculated by USAF Security Squadron headquarters at Kelly AFB in TX that these prisoners may have been crewmembers of Baron 52, a 56 SOW EC-47 aircraft which crashed in Laos on 5 February 1973. This speculation, admittedly tenuous, is based on the fact that these prisoners were reported to be in an area some sixty-five nautical miles from the Baron 52 crash site. Depending on the flight path of Baron 52, as well as prevailing winds that day, it is possible some crewmembers could have bailed out north of the crash site position and could possibly have been carried even further north during descent. Furthermore, since these prisoners were reportedly being transferred by trucks, it is not inconceivable that they could have been some sixty five nautical miles from the crash site the same day that Baron 52 crashed."

At 7:55 P.M. (EST Washington), a message is sent from the Department of State in Washington to the American Embassy in Vientiane, Laos which reads, in pertinent part:

"Subject: Americans Missing in Laos...6. Following eight names members of C-47 downed 2/5 are KIA and should not be included in lists given to LPF (Lao Patriotic Front) or ICRC (International Committee of the Red Cross)."

FEBRUARY 28, 1973 -

Photographs of the Baron 52 crash site were sent to the USAFSS Director of Operations at Kelly AFB, TX.

MARCH 1, 1973 -

The 6994th Security Squadron at NKP, Thailand sent a message to USAFSS HQS at Kelly AFB, TX. The message summarized the 6994th's participation (Technical Sgt. Schofield and Sgt. Keen) in the February 9th search and rescue effort, and the reaction of Colonel Humphries (8TFW Cmdr.) to the sanitized information he had reviewed on the 27th of February.

The report read, in part:

"1. The 8th Tactical Fighter Wing Commander (Colonel Francis Humphries) appreciated the information given him, but felt it was very tenuous and that if he needed it again he could get it from us."

"2. Report of SAR effort...the aircraft had been totally destroyed. Both wings (outboard tips) had been knocked off. One was approximately 400 yards north of site while the other one was west. It appeared that the aircraft had impacted just north of the crash site but we were unable to confirm this due to unknown personnel in the area (north and southwest of crashsite) although location of outboard wing tips would tend to prove this theory."

"The main cabin must have suffered an intense fire because all of the consoles and bodies - assumption - had completely burned. From the latrine door up to the radio compartment door was totally destroyed. Found remains of three bodies, the pilot and both co-pilots. Only able to bring one body back due to the bodies being so badly decomposed. The body that we did bring back was later identified as one of the co-pilots and was found in the general vicinity of the engineers compartment. The aircraft looked as though it had fallen out of the sky after possibly impacting further north of the crash site, since there wasn't any indication it had tried to crash land (aircraft was lying upside down)."

"Nothing left of aircraft for identification purposes but the plate on the bottom of the nose which had the aircraft number on it and was brought back for identification

purposes. One PJ (pararescue man) did state that what was left of the aircraft did have what appeared to be shrapnel holes in it, but we somewhat doubt this due to condition of the aircraft. As stated previously, there were three bodies seen in the front end. We were able to recover part of one (others too badly decomposed). Technical Sgt. Quillian, who went down with Sgt. Schofield saw one other possible, repeat possible, body in the general vicinity of area where the partial body was recovered. Technical Sgt. Schofield did not see it, however."

MARCH 7, 1973 -

USAFSS Headquarters at Kelly AFB TX made a request to the Chief of Staff of the Air Force in Washington, D.C. that the Baron 52 crash site "be among the first to be investigated" provided the terms of the Laos cease-fire agreement signed on February 21st permitted entry of U.S. personnel into Laos for crash-site excavations.

In the same message, the February 27th sanitized intelligence message, shown to the 8th Tactical Fighter Wing Commander, was quoted in full. The message to the Air Force Chief of Staff also read:

"...there was no sifting of debris to determine if evidence existed to confirm the status of those personnel in the cargo compartment of the aircraft."

"As you can see, there is cause for speculation concerning the status of the missing crewmembers."

"Since no present evidence positively confirms the death of the remaining five crewmembers, the possibility that they were able to bail out does exist, although no beepers or other transmissions were noted on guard."

MARCH 9, 1973 -

The Commander of the 8th Tactical Fighter Wing at Ubon, Thailand, Colonel Francis A. Humphries, provided the following information to next of kin of the missing crew members of Baron 52. His letter stated in part:

"...Due to the fact that the aircraft crashed in an extremely hostile area, no other search and rescue teams have been scheduled to go into the area...Your son was originally carried as missing in action until a review could be made of the facts and circumstances surrounding the incident. After a thorough review, it was determined that there were no survivors. Based on this, your son's status was changed to killed in action on 22 February 1973. The

severity of the crash, the total destruction of the aircraft, the intense fire, and many other factors were considered before we regretfully reached this decision. Also of importance was the fact that no emergency radio beepers were ever heard from any member of the crew, and no parachutes were seen. When the current intense hostility in the area subsides, hopefully other teams will be sent in."

MARCH 20, 1973 -

The Commander in Chief of the Pacific Air Command, Air Force, sent a message concerning prospects for another visit to the Baron 52 crashsite. (text of message not in file)

MARCH 21, 1973 -

The Chief of Staff of the Air Force sent a message concerning prospects for another visit to the Baron 52 crashsite. (text of message not in file.)

MARCH 23, 1973 -

U.S. Congressman Widnall received a written reply from the Department of the Air Force to an inquiry he had made on behalf of the parents of one of the missing backseaters, Sgt. Peter Cressman. The Air Force stated, in pertinent part:

"An Air Force officer personally notified Mr. and Mrs. Cressman on February 22 that Sgt. Cressman was declared killed in action on February 5 as the result of injuries sustained in the aircraft incident previously reported to them"

"The information made available to his commander by members of the search team conclusively established that their son could not have survived the incident."

"Please assure Mr. and Mrs. Cressman that if there had been any doubt that their son could have survived, they would not have been notified of his death."

The letter is signed by Colonel H.J. Anderson of the Congressional Inquiry Division, Office of Legislative Liaison, Department of the Air Force.

MARCH 26, 1973 -

The Commander of the Joint Casualty Resolution Center at NKP, Thailand, Brig. General Robert Kingston, sent a message

on Baron 52 to the Commander in Chief of the Pacific Air Command, Air Force, which read:

"1. Political/Military situation in Laos prohibits reentry of personnel at this time for inspection of Baron 52 crash site. Authorities for entry of JCRC personnel into Laos have not been negotiated and any effort to undertake an operation of this nature prior to receiving these authorities might be construed as a violation of the Laos Peace Agreement."

"2. The Baron 52 crash site will be afforded a high priority for early inspection upon receipt of operating authorities for JCRC in Laos."

APRIL 7-16, 1973 -

The Commander of the 8th Tactical Fighter Wing, Colonel F.A. Humphries, sent letters to the next of kin of the missing crewmembers which stated in part:

"Since my letter of 9 March 1973, I have personally discussed at great length the search and rescue effort...with the commander of the wing whose unit visited the crash site.."

"Because of the distance from the nearest radar facility, the aircraft was not being tracked by radar..."

"The crews are trained to be able to put on the (survival) equipment and get ready to leave the aircraft in approximately two minutes."

"...in case of an emergency it would also take time to unlock and open the (exit) door. These things can be done quickly if the airplane is flying straight and level, however, if it is in a spin or dive, movement within the aircraft is extremely difficult, if not impossible."

"...the cause of the mishap must have been of a catastrophic nature. It was probably a direct hit from antiaircraft fire which immediately started a fire in the aircraft thus precluding the initiation of emergency procedures. Assuming this to be the case, the crew would not have had time to retrieve survival equipment, don it, and exit the aircraft safely."

"Photographs of the crash site indicate that the aircraft, in all probability, initially impacted in one area and then continued its trajectory, finally landing in an inverted position. The wreckage was strewn from the impact point to the final resting area, which also prohibited the rescue team from conducting a more intensive investigation."

05 000 -

"Let me summarize by stating that we did employ a certain amount of conjecture to visualize the events as they took place. However, we made logical assumptions based on all the available facts and information. You may be assured that every facet of each piece of information was considered prior to arriving at the difficult decision to change (your son's) status to killed in action. Conclusive evidence of death is not required for a commander to arrive at such a decision. Existing evidence did warrant this decision, which is one of the most agonizing and difficult tasks a commander must face."

APRIL 24, 1973 -

During this period, the Defense Intelligence Agency was asked by the Air Force Intelligence Service through the Chief of Staff of the Air Force to "validate an ICCP supplement" concerning Baron 52.

According to 24 April 1973 message traffic from USAFSS at Kelly AFB:

"Subject: EC-47 Baron 52. CSAF/AFIS/INYB has tasked DIA to validate an ICCP supplement. It would task ...(redacted)...to review available ...(redacted)...data for additional information about the USAF crewmembers downed in Laos 5 Feb. 73."

Following this tasking, the Air Force sent a message to DIA or NSA which described Baron 52's incident and follow-up SAR efforts and read, in part:

"This is ...(redacted)... amplifying requirement submitted electrically to expedite DIA validation and submission."

"Subject: Disposition of USAF crewmembers.
Objective: To determine disposition of USAF crewmembers downed in Laos."

"(February 8th NSA Summary Report) 082000Z Feb.73, Item 7B reported a 5 Feb. movement of four POW "fliers" from KM-44 (approximately 65 nautical miles from crash site) to probably Binh Tram Nine area."

"Subsequent plans to return to crash site to sift wreckage have been delayed due to operating restrictions for that area."

"Air Force would be most grateful if ...(redacted)... could conduct review of ...(redacted)... data in attempt to uncover any additional information that could possibly be associated with the disposition of Baron 52 crewmembers."

MAY 2, 1973 -

The National Security Agency responded to the Air Force tasking with the following (since declassified) NSA priority precedence message dated 02/1826Z -- (1:26 PM 2 May Washington) --

"Downed EC-47 Crew"

"1. Have reviewed all available information concerning the four fliers mentioned ...(redacted)... 5 Feb...(redacted)... and no additional reflections or amplifying information concerning the disposition of the fliers were revealed. For your information and consideration the following is a recap ...(redacted) ... and some other observations concerning this subject."

"2. Four fliers, whose nationality was not disclosed, were located on 5 Feb. in the general area north of Muong Nong in the Binh Tram 33 area. According to ...(redacted)... the fliers were to be transferred from "44," a probable ... (redacted)... kilometer marker 44 on Route 914 (XD 495254, 16-30N 106-25E) to "93," a probable ...(redacted)... kilometer marking 93 on Route 1032 (XD 549505, 16-43N 106E-, and were apparently en route to the Binh Tram 9 area, west of the DMZ in Laos. Two unidentified personalities in the Binh Tram 9 area were to be contacted concerning movement of the POWs and if problems were encountered, high hqs ...(redacted)... was to be notified to supply "ways and means" (probable references to trucks) to move the fliers, sufficient water was to be given to the fliers, ... (redacted)..."

"Also on Feb 5 an unidentified Group 210 or Group 210B, probably in North Vietnam, ...(redacted)... there had been some difficulties in transporting the fliers and ...(redacted)... that the Binh Tram 9 personalities check to see if these problems had been resolved so movement could continue, the Group 210/210B personality also ...(redacted) ... notified of their time of departure as he was waiting for them, these were the only ...(redacted)... reflections of the movement of these "fliers."

"3. The term for "fliers" is commonly used by the North Vietnamese to refer to air crew members including pilots, navigators, gunners, etc. The use of this term ...(redacted)... does not exclude the possibility that the four prisoners were enlisted air crew members but does not necessarily indicate such since the same term had been used to refer collectively to B-52 crews downed in December in North Vietnam."

"4. Although the initial location given ...(redacted)... 5 Feb...(redacted)... is some 65 kilometers from the crash site

it is possible that at least part of the crew were able to bail out prior to the crash and therefore could have been closer to this point than the crash site when they were captured. Further, since vehicle transportation was indicated, rapid movement is reasonable. It is possible that these 4 fliers were part of the crew of the EC-47."

MAY 21, 1973 -

Dr. Roger Shields met with John T. Berbrich to discuss the Baron 52 shootdown. Berbrich informed Shields that there was a "possibility" some of the crew were captured, "but the evidence was sketchy and inconclusive." (DIA memo to Chuck Trowbridge at DIA from John T. Berbrich)

MAY 24, 1973 -

In a memorandum to the Assistant Secretary of Defense for International Security Affairs, Dr. Roger Shields stated:

"On 4-5 February 1973, a USAF EC-47 carrying a crew of 8 U.S. personnel was downed in Laos. The search and rescue team succeeded in locating and inspecting the wreckage of the aircraft. Because the area was a hostile one, the inspection was not completed. Nevertheless, parts of four bodies were recovered (located), only one of which was (recovered and) identified."

"A short time after the shootdown of the EC-47, a sensitive intercept of communication between North Vietnamese Army Commands in Laos and the DRV indicated that four Americans had been captured in an area some forty miles from the crash site."

"...DIA is continuing its investigation (of the EC-47 incident), but feels there is some reason to believe that the four may actually have been captured."

JUNE 28, 1973 -

Sgt. Joseph F. Conge of the Site Development Branch of the Joint Casualty Resolution Center in Thailand prepared a memorandum summarizing separate interviews he had conducted in late June with 3 members of the Jolly Green 60 which was involved with the SAR efforts at the Baron 52 site on February 9, 1973.

The purpose of the interviews was to prepare a target folder on the Baron 52 crash site for use by the JCRC. (However, no plans for a second visit to the site were ever implemented until November, 1992).

According to Sgt. Conge, Pararescue man Sgt. Robert B. Johnson (the only PJ interviewed) stated "his opinion that all of the crew died in the crash."

Sgt. Conge wrote in his memorandum that "it did not appear that the crew of the Baron 52 were preparing to bail out when the plane crashed." No source was cited by Sgt. Conge as the basis for this statement, however, as noted, the only PJ on the ground interviewed was Sgt. Johnson.

In his memorandum, Sgt. Conge quoted verbatim from the February 9, 1973 message signed by both of the Jolly Green commanders in describing the state of the aircraft wreckage.

Sgt. Conge further stated that the team was inserted to the crash site "for approximately one hour", and that "the team (on the ground) decided it was time to be extracted and requested Jolly Green 60 to pick them up."

(There is no record in our file which indicates whether or not a transcript was made of Sgt. Conge's interview with any of the three Jolly Green crewmembers, including the one that was actually on the ground.)

SEPTEMBER 13, 1973 -

The Joint Casualty Resolution Center at NKP, Thailand, provided information to the American Embassy in Laos on proposed Baron 52 casualty resolution operations which would be activated "upon approval to conduct operations and designation of D-Day."

JULY 24, 1978 -

In response to a press inquiry for detailed information on the Baron 52 incident by columnist Jack Anderson, Mrs. Madden of the the Secretary of the Air Force General Counsel's office prepared an internal draft statement which read in part:

"...the (SAR) team recovered the identifiable remains and left the crash site when the helicopter's remaining fuel supply necessitated departure."

"Shortly after the loss of the aircraft, a sensitive intelligence source reported that Laotian forces were transporting four captured pirates about 65 kilometers from the crash site. No identity or nationality was given, although the term "pirates" was usually used to describe Americans. It is not possible to determine whether or not that report pertained to crew members of the EC-47 aircraft lost on February 5, 1973. No further intelligence reports

of any kind were received as to the location or disposition of the four "pirates" mentioned in the intelligence report."

In preparing the release, an internal document was datafaxed to the USAF General Counsel's office from an Air Force entity (not identifiable from document) in response to questions posed through Mrs. Madden. The datafax read:

QUESTION: "Why wasn't the intelligence report provided to the field commander?"

ANSWER: "It was highly classified at the time; higher than the field commander had access to. Even in unclassified form, it was not available until after the men had been declared dead."

QUESTION: "Why didn't someone in the Air Force pass to casualty or the field even an unclassified version of the material?"

ANSWER: "The incident occurred just prior to the return of our prisoners of war. The intelligence community, at the time, was understandably heavy burden preparing for the repatriation of our POWs. Excess manpower needed for such things as declassification of documents was simply not available. It was hoped that if they had indeed been captured alive, they would have been repatriated along with the rest of the prisoners. The fact that they were not repatriated led us to the regrettable conclusion that they were, in fact, not captured alive as this intelligence report would lead you to believe."

"After the return of our POWs, the work load in our intelligence organizations continued at an extremely high level while the returned prisoners were debriefed and their debriefings were analyzed. Incidentally, no information was provided by these debriefings which would substantiate the capture of this crew. During that time, the intelligence report in question apparently fell by the wayside and no attempt was ever made to declassify it until recently. I would like to point out here, in conclusion, that we never received any other information to support the claims made in this report. Conversely, everything we have, including investigations by a House Select Committee (on Missing Persons in 1976 by Rep. Montgomery) and a Presidential (Woodcock 1977 under Pres. Carter) Commission, lead us to the conclusion that no one is left alive."

QUESTION: "Why didn't the Air Force ever provide information to the next of kin?"

ANSWER: "As mentioned above, it is the belief of DoD and the Services that after the repatriation of POWs, the communists no longer held any of our men alive. It was the general

opinion, born from experience with hundreds of other next of kin, that providing information we felt, and still feel, was misleading or worse - false, could have a detrimental effect on the next of kin by giving them false hope for the return of a loved one who we were sure was not alive. On many occasions, foreign governments have stated that they no longer hold any American prisoners and have steadfastly refused to provide us with anything but remains or information about those were killed in the conflict."

JULY 28, 1978 -

The Department of Defense released the final, official press statement which differed from the draft and read, in pertinent part:

"Shortly after the loss of this aircraft, an intelligence source that may not be further identified, reported that enemy forces were transporting four captured men who may have been American pilots about 65 kilometers from the crash site. However, no identity or nationality was specified. It is not possible to determine whether or not that report pertained to crew members of the EC-47 aircraft lost on February 5, 1973. No further intelligence reports of any kind were received as to the location or disposition of the four captured men mentioned in the intelligence report."

AUGUST 3, 1978 -

Appearing on ABC's Good Morning America, columnist Jack Anderson stated, in reference to the Baron 52 incident:

"...my staff has learned that at least half of the crew probably survived. Pentagon officials realized this within days of the crash, yet the Air Force never told the families of these men that their loved ones were probably alive...a surveillance report which the Pentagon itself calls reliable, sighted four captured men about 65 kilometers from the crash site. A Pentagon spokesman now agrees there's a good chance these four men were survivors of the crash. Yet, the Pentagon deliberately gave the families misinformation."

MARCH 13, 1979 -

Lt. Colonel (ret.) and Mrs. Stephen Matejov, parents of one of the missing crewmembers from Baron 52, Sgt. Joseph Matejov, were invited to the Pentagon after several discussions with Air Force Casualty personnel "to personally review the available information surrounding this incident." Their escort during the visit is Colonel Bobby D. Ballard.

According to a March 29, 1979 letter to the Secretary of the Air Force from Lt. Colonel Matejov, "there, we were made privy to the 'visual-sighting' and 'radio-intercept' reports in question."

MARCH 29, 1979 -

Lt. Colonel Matejov, in the same letter, petitioned the Air Force Secretary to "reopen this case and reverse the (KIA) ruling made on behalf of my son and declare him again 'Missing in Action' as it rightfully belongs, based on the information currently made available."

APRIL 10, 1979 -

In testimony before the House Asian and Pacific Affairs Subcommittee, Dr. Roger Shields, former head of POW/MIA Affairs at the Department of Defense, stated:

MR. FOUNTAIN: "You made a reference to one case in which information was withheld. Are you in a position to tell us the circumstances in connection with that case?"

DR. SHIELDS: "The one case of which I am aware in which there was not what we might describe as simply an oversight was a case in which three men may have been captured. This would have been after the termination of hostilities in South Vietnam. I believe that record has been made public now, has it not?"

"This was a communications intercept which indicates three men out of a reconnaissance aircraft may have been captured. In fact, the communications intercept stated they were captured. The men, though, were declared presumptively dead."

"The circumstances of the loss were examined on the scene, and as I recall, there was concern among officials within the Pentagon that the remains of those three men may not have been in the wreckage of the aircraft, so it raised strong presumptions in my mind that something may have happened to those men. They may have been captured. Nevertheless, they were declared presumptively dead."

"I am not sure what the families were told. Families were not informed there had been a communication intercept which indicated they had been captured. This was in 1973."

APRIL 17, 1979 -

The Secretary of the Air Force responded to an inquiry on

the Baron 52 incident from Congressman C.W. Bill Young which stated in part:

"Shortly after the loss of the aircraft, an intelligence source that may not be further identified, reported that enemy forces were transporting four captured men who may have been American pilots about 65 kilometers from the crash site." (NOTE: 65 nautical miles not kilometers in original Feb. 73 reports)

"However, no identity or nationality was specified and it is not possible to determine whether or not that report pertained to crewmembers of the EC-47 aircraft lost on February 5. No further intelligence reports of any kind were ever received as to the location or disposition of the men mentioned in the report in question."

"...no further information has ever been received from any source, either official or unofficial, concerning these men."

"Please be assured that it is not now, nor has it ever been, our intent or purpose to withhold information or misrepresent any given situation to the families... We acknowledge our human failure of not acting in all promptness in providing contents of the intelligence report to the families. We can only assure you that, based on all known circumstances, we believe that the decision by the commander to declare the crew deceased was sound."

MAY 3, 1979 -

The Air Force responded to Lt. Colonel Matejov's letter stating:

"Considering the length of time since his loss, the fact that our repatriated prisoners had no information about him or any member of his crew, and the severe health problems any American in arduous circumstances would experience in Southeast Asia, I conclude that there is no substantive basis for a presumption that your son survived."

"My staff has spoken with General Humphries and are satisfied that he did not know of the reports about four captives. However, he has since concluded that, if they were accurate, their relevance to the loss of your son would have been questionable in view of all the other available information as set out in his letters to you beginning 13 February 1973. General Humphries made his decision based upon the available information, and I do not find his judgement to have been arbitrary or unreasonable. Therefore, I do not believe that sworn statements or an investigation an investigation are necessary. With respect

to the release of the sighting reports to you, I can add nothing to the explanation provided in the letter of transmittal. There was no 'cover-up' or intentional withholding of information."

(3 May 1979 Ltr. from Major General L.W. Svendsen, Asst. DCS/Mnpwr and Pers for Mil Pers., USAF)

APRIL 28, 1983 -

Dr. Roger Shields, former head of POW/MIA Affairs at the Department of Defense, stated to Congressman William Hendon:

"There was one incident, I can't remember the name of it...this was a C47 shot down in February...we had a radio intercept where they (the NVA) were talking about having the crew, some of the crew, as prisoners. 4 or 5 were killed, and the rest were captured...we knew it and negotiated it away. I tried to tell (Deputy Secretary of Defense) William Clements and I almost lost my job. He said they were all dead. I told him we had no evidence of that and we couldn't say that. He said you didn't hear me, you didn't hear what I said -- they're all dead."

(notes taken by former Congressman William Hendon, 4/28/83)

MAY, 1983 -

The case narrative on the Baron 52 case prepared by DIA and presented to the Lao Government through representatives of the National Security Council, the Assistant Secretary of Defense for International Security Affairs, and the National League of Families stated, after describing the incident:

"Subsequent information indicates that several of these crewmembers may have been captured."

1983 -

In a private meeting in New York City between the parents of one of the missing crewmembers and Dr. Roger Shields, former head of POW/MIA Affairs at the Department of Defense, Shields made the following statements, according to a letter from the mother:

"Dr. Shields told us the four men on the EC47 who manned the electronic equipment had bailed out and were among the known live captured Americans. Their names were on the list to be turned over to the Vietnamese of men we knew they had. It was Bill Clements, then acting Secretary of Defense, who ordered Roger Shields to cross out the four men's names and

write over them 'killed in action.'...The reason given was to protect the 591 men coming home, because the EC47 was flying eight days after the Peace Treaty was signed."

(Ltr. from Mrs. Mary Matejov dated Sept. 17, 1988)

JULY, 1986 -

A family member of one of the missing crewmembers of Baron 52 transmitted a letter to President Reagan and several Members of Congress charging that some of the crewmembers were known by the U.S. Government to have been alive and captured, and subsequently "abandoned."

SEPTEMBER 11, 1986 -

The Air Force Military Personnel Center at Randolph AFB, Texas, responded to several questions posed through the Defense Intelligence Agency, which was examining the charges made by the family member of Baron 52. The internal message heading was "Background Information For Congressional Response" and read, in pertinent part:

QUESTION: "On February 22, 1973, seventeen days after the shootdown, USAF declared all of the crewmen from the aircraft dead without the benefit of any new information. Why?"

ANSWER: "Reference Commander's letter 7 April 1973 to Mr. and Mrs. George Cressman, parents, explains in detail the reasoning for his decision to change the status of Sgt. Cressman. The Commander's letter covers communications capabilities; configuration of aircraft during flight and devastation of aircraft wreckage. The Commander also informed Mr. and Mrs. Cressman that 'conclusive evidence of death is not required for a commander to arrive at such a decision...'"

QUESTION: "Details of the event were not released until 1978. Why was there a five year delay when USAF directives were in effect which stated families were to be provided the most complete information possible?"

ANSWER: "Intent of directive was not to pass families classified information. Unclassified details of the event were released to the family in Unit Commander's letters dated March 9, 1973 and April 7, 1973. As to why some information concerning the event were not released until 1978, apparently, although we can not be certain, that information was not declassified until 1978."

QUESTION: "They were told that there were no photos of the

crash site -- "

ANSWER: "Cannot explain why families were told there were no crash site photos. Photos were originally classified."

FEBRUARY 23, 1987 -

The Defense Intelligence Agency Special Office for POW/MIA completed an "exhaustive analysis of all available intelligence and operational data surrounding the EC-47Q loss" following the transmittal of a July, 1986 letter to President Reagan and several Members of Congress from a family member of one of the missing crewmembers from Baron 52. The letter charged that some of the crewmembers were known by the U.S. Government to have been alive and captured, and subsequently "abandoned."

The DIA study was prepared by DIA POW/MIA senior analyst Robert Destatte, approved by the Chief of the POW/MIA Office, Colonel Kimball M. Gaines, and transmitted by Colonel Gaines "for the Director" of the Defense Intelligence Agency.

In the letter of transmittal to the Air Force, Colonel Gaines stated:

"Sanitized intelligence reports...and assertions by a former U.S. Air Force Intelligence analyst have led some to the erroneous belief that at least four crewmembers survived and were captured."

Colonel Gaines further stated that the analysis had concluded:

- "A. There is no evidence that any crewmembers survived the crash.
- B. There is no evidence that any crewmembers were captured by enemy forces.
- C. The intelligence reports of 5 February, 17 February, and 2 May 1973 contain no evidence that relates to crewmembers of the EC-47Q."

In the analysis prepared by Senior Analyst Robert Destatte, the following excerpted statements were made:

"...the (search) team was not able to lift the fuselage to search for additional remains."

"They (the search team) found no evidence that the crew were preparing to bail out when the plane crashed; and it did not appear that the aircraft attempted a controlled crash

landing."

"The disposition of the wreckage and other features of the crash site...indicated the aircraft had plunged nearly vertically to earth, bounced once, landed upside down and burned."

"Four intelligence reports...led others to speculate that the four electronics specialists could have survived. Two of the documents were dated 5 February 1973, another 17 February 1973, and the fourth 2 May 1973."

"Through a longstanding misinterpretation of these sanitized documents an erroneous impression of survivors was preserved. Yet, in fact, the four reports do not relate to the loss of the EC-47Q."

"The initial February 5 report originated in the area of Vinh, North Vietnam...In that report...a North Vietnamese unit near Vinh is said to be holding four prisoners who are not further identified."

"The later February 5 report, based on an issued after a review of the information in the earlier 5 February report, provides no additional insights into the origin or identity of the prisoners."

"The 17 February document is reflective of an enemy unit having downed an aircraft in the area immediately south of the Demilitarized Zone which separated North and South Vietnam, and as such does not relate to the EC-47Q or its crew."

"The 2 May report is yet another analyst's interpretation of the 5 February reporting and is neither new information nor a new report. DIA's review of the evidence shows that the analyst who prepared the 2 May report made a number of arbitrary and erroneous assumptions and speculative assertions in an attempt to infer that the 5 February information originated from a location much closer to the EC-47Q crashsite and that some of the crew survived. The 2 May report therefore actually provides no more conclusive information than the original 5 February report did; however, the unwarranted personal speculation tends to draw attention away from this fact."

"It is further emphasized that following the loss of Baron 52, none of its crew was ever seen alive, and there is no intelligence whatsoever which would indicate any of the crew survived the incident of loss."

JUNE 15, 1989 -

In a letter to one of the families of a missing crewmember from Baron 52, Robert Wilhelm, one of the analysts stationed at Ubon, Thailand, for preparing and debriefing Baron 52's missions, stated:

"Our squadron, because of the nature of our work, was privy to all kinds of classified information...A few days after the plane was lost, I saw a short message. It read that a 'normally reliable source' in Laos (a friendly Laotian) had reported seeing 3 or 4 Americans, clean shaven, and in flight suits, being led through the jungle. Our plane (Baron 52) was the only one lost in that period, so, if true, they would have been our people because if they had been down for a long time, they would not be clean-shaven and they would not have been dressed in their flight suits. But nothing was ever followed up in the message to my knowledge, and it was dismissed as a bad report."

SEPTEMBER 13, 1989 -

Charles Trowbridge, DIA's Deputy Chief of the POW/MIA Office, forwarded a copy of the DIA analysis of the four NSA intelligence messages and the Baron 52 incident to Senator Smith with a cover letter that stated, in part:

"We concluded that there is no evidence of survivors from this incident and there is no evidence that any of the crew members were captured by enemy forces."

OCTOBER 24, 1989 -

The Command Historical Office, HQ Electronic Security Command, conducted a meeting with "four members of the (Det 3, 6994th Air Force Security Squadron) Command who were in Southeast Asia and associated with the Baron 52 activity at that time." The purpose of the interview was to "cover what they know about this incident and the loss of the aircraft and its crew."

At the beginning of the interview, an excerpt from the Command History of the 6994 Air Force Security Squadron was read into the record which stated in part:

"The USAFSS crew (of Baron 52) was listed as MIAs until 23 February 1973 when their status was changed to KIA in spite of the fact that certain intelligence reports from ... (redacted)... had reported the capture of four fliers in the vicinity of the Baron 52 flight."

Comments made during the October, 1989 interview included the following:

LT. COL. LIONEL H. BLAU: "One of the points that I always like to point out on these (Feb.73 FAC) pictures (of the Baron 52 crashsite) is that this does not show the way the aircraft came into the crash site. When you look at the film, the footage that I looked at, it was very obvious that the aircraft had hit up on top of the hill and came directly in and impacted upside down. The wings were knocked off, and part of the aircraft, it looked to me like a tail section, was up on the hill...(about) 400 hundred yards (away)...the thing that I think is important is that the aircraft nose was still on a direct line with that hill."

"The reason that I think it's important to note where the tail section was, or where that piece of fuselage was and where it hit-up on the hill, and its relative bearing with the nose of the aircraft, is that in determining that the individuals were KIA, Colonel Francis Humphries, who was the 8th Tactical Fighter Wing Commander at Ubon at the time, the main thing that he said would cause him to say they were KIA was that if the aircraft was spinning no one could get out of the aircraft. I pointed out to him that that aircraft had hit straight ahead. It was not spinning as far as I could tell. He totally disregarded that, as well as any other ...(redacted)... messages."

INTERVIEWER: "You mean an airborne evacuation as opposed to on the ground, because when it ended up it ended up upside down, so any survivors would have had to bailout. Is that a correct assumption?"

CHIEF MASTER SGT. RON SCHOFIELD: "Absolutely, sir, and there was an intel report..."

INTERVIEWER: "You came in with the Search and Rescue...what did you find?"

SCHOFIELD: "We found the aircraft was on its back. We knew it had a full fuel load which accounts for the intensity of the fire. All I was there for was to make sure there was no classified still available. When we got there, one of the PJ's set up a parameter, and the other one and myself were looking for bodies. We only found three bodies and that was the pilot, the co-pilot and the third pilot. The backend, even the equipment was burned, and Colonel Blau and I have talked about it. These aircraft flew with the doors on. If that aircraft had crashed with the door on, there would have been a little bit of it left at the top. There was absolutely nothing. It was gone. It looked like it had been kicked off."

INTERVIEWER: "Kicked off? You mean ejected? The door had been ejected?"

SCHOFIELD: "Pulled the handle and got rid of it and people

bailed out. Because there was about 12 to 14 inches of the aircraft left and where the door was, the top of the door was open. The top of it was not there. But everything else had burned. And also the frontend -- nomex flight suits are good, I learned that. You could recognize the pilot, copilot and third pilot, and there should have been some remains of the backenders in the fire, but there wasn't anything.

INTERVIEWER: "Wasn't the aircraft totally flattened?"

SCHOFIELD: "No sir, it was upside down...the whole bottom was off. The aircraft was inverted and the whole bottom was off. The three bodies were right where they should have been. There should have been some remains in the backend, but there was absolutely nothing...the top of the aircraft was all there was left."

INTERVIEWER: "...there's no possibility in your mind that they could have been cremated?"

SCHOFIELD: "...No, I've given it a lot of thought and I've talked to Colonel Blau about that, and the absence of the top of the door, the intel report about the four fliers, shock, which indicates that they'd been suffering from burns, which they probably would have. We had another interesting phenomenon... (redacted)... And I felt in my own mind that they had, in fact, been captured and had been interrogated."

BLAU: "...one of the typical things on a smoker (Baron 52's mission), if you were being shot at, you had on your parachute harness and, if they had chest packs, they had the chest packs sitting right next to them and they slapped them on. And I know for a fact that those guys could slap the chest packs on and be out the door in 1 1/2 minutes, because we practiced that evacuation and they had more than ample time to get out a door. I've had a hard time accepting that they were killed in a crash, because I think that those guys would have been out long before they would have gone down with the aircraft."

SCHOFIELD: "There was nothing in the backend. It was totally burned out. There should have been something. After seeing the state of those Nomexes, they are good and they did protect the skin underneath the Nomexes. So there should have been remains in the backend and they should have been identifiable, but there was nothing."

INTERVIEWER: "The next series of actions I have...it looks like an informal request on 12 February 1973...it appears to be quoting a message...about four fliers..."

SCHOFIELD: "All we've got is what we've read. But where the

fliers were picked up would follow with the wind direction and everything they plotted out, and it was about the right area where they were captured."

INTERVIEWER: "Yes, it indicates that, from the apparent flight profile at the time...I think it says, 55 kilometers away, prevailing winds would have caused them to be floating in that area, and that there were four fliers captured and being transported in ground transport."

SCHOFIELD: "Yes sir, and they were suffering from shock, or being treated for shock, or something like that."

INTERVIEWER: "Okay, I couldn't find that in this highly garbled message."

SCHOFIELD: "That was one of the things that came out, that they were in shock or being treated for shock."

"...these people were supposedly captured shortly after they parachuted into the area. And based on everything, the prevailing winds at that time, where the aircraft was supposedly located and everything, I guess, maybe, we were trying to convince ourselves that's who they were, but it seemed awfully logical to us."

CAPTAIN RONALD R. RIBELLIA: "In reference to pilots, they would refer to officers as pilots, and anytime they referred to enlisted types, it was fliers. I remember seeing that ...(redacted)..."

INTERVIEWER: "Okay, I was trying to figure out... (redacted) ... from the way they were describing this. From some special source, I take it."

RIBELLIA: "I never knew the source."

INTERVIEWER: "It might have been one of the classified type of operations that were going on in the area at that time."

BLAU: "This ...(redacted)... was going back and forth at the time the determination of whether they were MIA or KIA was being made. When I found out that Colonel Humphries was being contacted and they were asking him the question, 'Should these guys be declared KIA or MIA?' I hustled down and asked for a sanitized version."

INTERVIEWER: "There's a message from Brook Watts coming back to the command, talking about contact from one airborne unit from an individual that formerly had ...(redacted)... clearance, that wanted to know if there was any ...(redacted)... involved. That probably was a result of your actions."

BLAU: "Yes, and I went in and simply told the Colonel, 'Please do not make that decision yet, until we can get straightened out what this ...(redacted)... is about.' And at that time, he said, 'No. If those guys were in the C-47, I've flown in them, I know what happens. If they start spinning, they will never get out.' I said, 'Sir, there's no indication that it was spinning.' And he said, 'That's the decision. They are KIA.'"

INTERVIEWER: "I don't know what else to say. It's still up in the air."

SCHOFIELD: "Yes it is..."

RIBELLIA: "...I just have to believe, knowing those people, that if that airplane was going down, I just know those guys would get out and survive."

SCHOFIELD: "Especially from that altitude."

BLAU: "If they had been hit in the front end, like it indicates they were, if they took 37mm up in the front end, the guys in the backend had equipment in front of them. They probably would have been protected from some of that. As I have sat back and tried to analyze this, I think the guys in the backend would have had time to get out. I've gone through this in my sleep, awake, it haunted me for quite a while."

During the interview, Lt. Colonel Blau and Sgt. Schofield also mentioned that they had been contacted by DIA in the last several years:

BLAU: "I talked to Mr. Robert Destatte in the POW/MIA Office at the Pentagon several years ago about that particular incident, and he told me nobody else had gone in, although they have made that a priority site to go back and look again."

SCHOFIELD: "And I provided all the information to him too...He was involved with the MIAs in Southeast Asia."

INTERVIEWER: "The recovery and/or accounting for?"

SCHOFIELD: "Yes, he worked at the Pentagon and then moved over to DIA."

BLAU: "...Destatte told me that the ...(redacted)... that he had been able to find, indicated that the ...(redacted)... actually was about fliers over in Vietnam along the coast that were going North, but that didn't hold water as far as I was concerned. But that's what he said that ...(redacted)... meant."

INTERVIEWER: "The ...(redacted)... the four fliers
 ...(redacted)... coordinates and different routes that they
 were taking, so there were geographic coordinates
 ...(redacted)... that would have placed them at the location
 (in Laos.)

During the interview, Captain Joe Harder, who had been
 stationed as an airborne mission supervisor at NKP, Thailand
 with the 6994 Air Squadron also stated:

"Normally, you didn't fly with your wings."

NOVEMBER 15, 1991 -

The following exchange concerning Baron 52 took place at a
 public hearing of the Select Committee on POW/MIA Affairs:

THE CHAIRMAN (Senator Kerry): "...did we not have
 information that personnel were taken alive from the EC-47
 that was brought down? And Mr. Trowbridge, you are shaking
 your head."

BOB SHEETZ (Chief of DIA's PW/MIA Office): "I have an
 analyst here -- our senior analyst for the whole
 office...This is Robert Destatte."

THE CHAIRMAN: "Mr. Destatte, would you raise your right
 hand?" (witness sworn)

BOB DESTATTE: "My name is Robert Destatte. I'm with DIA, a
 senior analyst."

THE CHAIRMAN: "How long have you been with them?"

DESTATTE: "I've been with the office since September, 1979."

THE CHAIRMAN: "Can you just help me understand this, because
 this is one of those cases where a lot of people have
 questions and it keeps arising as an issue. It is my
 understanding that an EC-47 was shot down. Evidence was
 found that five people survived that crash. Is that
 correct?"

DESTATTE: "The aircraft was shot down, sir, on the 5th of
 February, 1973. Over the years there has grown the
 impression that we had evidence that some members of that
 crew survived. In fact, a careful analysis of the
 information that led to that impression reveals that the
 information did not pertain to that crew. There never has
 been any evidence that any members of that crew survived..."

THE CHAIRMAN: "...now, were codes broken -- radio codes --
 in Laos, between the period of 1969 to 1973, which allowed

us to track prisoners in Laos...do you know whether it was broken?"

SHEETZ: "I have no personal knowledge of that."

THE CHAIRMAN: "Do you, Mr. Destatte?"

DESTATTE: "Sir, I have only generalized knowledge, and I wouldn't feel comfortable answering (in open session)."

THE CHAIRMAN: "...what is the problem here, guys, this was some 20-some years ago? Can you articulate it to me?"

SHEETZ: "You really need to have a spokesman here from the other agency that does that work."

THE CHAIRMAN: "But you guys are the Defense Intelligence Agency -- you are analyzing this with respect to this issue."

SHEETZ: "And we are given their reports and entrusted to work with their reports under what is called the third agency rule. Our agency is not allowed to declassify information from another agency. I mean, it's a law. I'm not allowed to disclose another agency's intelligence."

THE CHAIRMAN: "Do you have definitive evidence that everybody in that aircraft (Baron 52) was killed?"

DESTATTE: "Yes, sir."

THE CHAIRMAN: "Definitive, conclusive?"

DESTATTE: "That is the way I would characterize it."

THE CHAIRMAN: "Why don't you share (the information) with us."

DESTATTE: "...I might add, the mother of one of the co-pilots is a personal friend of mine, and I used to work with his father. And so I know something about this...a search team inspected the wreckage and located the remains of four of the eight.

THE CHAIRMAN: "Whose search team?"

DESTATTE: "U.S. One of the members of that search team was, in fact, a personal friend and had worked with some of the people, the crew in the back of the aircraft."

"Two of the remains were in the pilot and co-pilot position, the third was in the engineers compartment. The team was able to recover a portion of this body which was later identified as the other co-pilot. The fourth body they

found was near the engineer's compartment."

"...Due to the physical and time constraints and hostile forces in the area, the team was not able to lift the fuselage to search for additional remains...They found no evidence that the crew was attempting to bail out when the plane crashed... Disposition of the wreckage and other features of the crash site, for example, the absence of skid marks, indicated the aircraft had plunged in nearly vertically to earth, bounced once and landed upside down and burned."

"...four sets of Intelligence Reports, portions of which were declassified for release to next of kin, led others to speculate that four electronics specialists could have survived. Two of the documents were dated 5 February 1973 and another 17 February 1973, 12 days late, and the fourth 2 May 1973. I might add that I believe Mr. Mooney, who has testified before your Committee, claims to have written that particular document."

"Through longstanding misinterpretations of these sanitized documents, an erroneous impression of survivors was preserved. Yet, in fact, the four reports do not relate to the loss of the EC-47...It is further emphasized that following the loss of Baron 52, none of its crewmembers were ever seen alive and there is no intelligence whatsoever which would indicate any of the crew survived the incident of loss."

THE CHAIRMAN: "...Why was there so much left of it (the aircraft)? Was the electronic equipment in fact intact when the crew visited it? Did they make a determination?"

DESTATTE: "They did not go inside the fuselage, as I recall."

THE CHAIRMAN: "Well, how did they find the remains they found?"

DESTATTE: "Looking in from the outside."

THE CHAIRMAN: "Only looking in from outside? Now, is it possible somebody could have bailed out before the crash?"

DESTATTE: "I am working from a summary here, not the whole record, but no, it is not possible. This aircraft -- I know the aircraft, it is particularly tight and configured in a way, it is very difficult to move and when you are in your position you were kind of there."

THE CHAIRMAN: "But I gather there were a couple of slots from which you could bail out relatively easily, is that incorrect? Do any of the military folks here have data on

that? Well, we will look into that. Let us not get bogged down with the details now. We have got presentations on both sides, it is interesting, and we will evaluate it."

JANUARY 22, 1992 -

The following exchange took place during a public hearing of the Select Committee on POW/MIA Affairs with retired Air Force intelligence analyst Jerry Mooney, who had worked at the National Security Agency when Baron 52 was shot down:

THE VICE CHAIRMAN (Senator Smith): "Mr. Mooney, it is my understanding that you are familiar with the DIA analysis of the so-called Baron 52."

JERRY MOONEY: "It stinks, sir."

THE VICE CHAIRMAN: "...Were you in any way involved with any of the four intelligence reports mentioned in the analysis?"

MOONEY: "Yes, sir, I am sure I wrote a couple of them, but I cannot be specific."

"The first report, I believe, was intercepted by a unit in Phu Bai, now defunct. My position is and still is and always will be that this was the crew of the EC-47Q, the backend electronic people."

THE VICE CHAIRMAN: "Did intelligence people in the field generate reports -- "

MOONEY: "Yes, Phu Bai, the Army Security Agency issued one. They issued the preliminary one. That came from a ground based intercept. Then there were two airborne collectors called the GATOR and the TORCH which provided the rest of the information and it was all coded. And we issued, I believe, the final two reports..."

THE VICE CHAIRMAN: "What other first hand knowledge do you have of this incident that you can relate?"

MOONEY: "DIA says it's four unknown POWs up in the Vinh area. My position is simply this: it reflects the activity and the movement of the four surviving members from the EC-47Q. The DIA position is impossible. No. 1, cryptographically it does not fit. In other words, the code systems that were used were isolated to the southern area. No. 2, atmospherically it doesn't fit. The first collector at Phu Bai could not reach that far into the Vinh area. This was all checked out by a tech sergeant who worked for me, a database specialist."

THE VICE CHAIRMAN: "...So the reports that we have here or

the analysis that I have here in this letter of 1989 (from DIA) is not accurate?"

MOONEY: No, sir, it's not, and if you would notice that for years, even in the DIA records, they carried them as their category one, POW, and it wasn't until later that their position changed. Mine has been constant since February, 1973."

The following exchange took place during a public hearing of the Select Committee on POW/MIA Affairs on the same day with retired senior air defense analyst Terry Minarcin, who was stationed at Nakhon Phanom, Thailand in 1973 with the 6908th USAF Security Squadron.

THE CHAIRMAN (Senator Kerry): "What are you suggesting with respect to the intercepts on the Baron 52?"

TERRY MINARCIN (retired analyst): "I'm not suggesting anything. It's what the Vietnamese said, that they had shot is down and that they had captured -- the actual report that I saw was that they were transporting three individuals from the crash site area up to Tchepone, Laos cross into Khe Sanh and then up to Vinh."

THE CHAIRMAN: "Now, you are aware, I take it, that DIA has done a re-analysis of the intelligence data on that. One body was pulled out of that wreck. Is that accurate?"

MINARCIN: "There was one body that was strapped into the copilot's seat or the pilot's seat, I'm not sure which. There was one body that was found just behind the cockpit on the ceiling of the aircraft. And there was a third body found right outside the nose, off the nose of the aircraft."

THE CHAIRMAN: "...We have a more detailed discussion of the particulars of that. In fact, staff has looked at the photographs of the crash site. They would lead somebody to draw the conclusion that it would be hard to survive."

MINARCIN: "...there were several reports that we saw in Vietnamese communications the morning of the shootdown, where four of them were seen in a truck being taken up the road."

THE CHAIRMAN: "You personally saw it?"

MINARCIN: "I'm the one that actually personally recorded the one on the three, and the term that they use is "giac lai my," which means American bandit pilots, request for transportation of those three from the Saravane Province area...up to Tchepone, from Tchepone across to KheSanh, from

Khe Sanh up to Vinh."

THE CHAIRMAN: "You saw the actual messages, or you heard those messages yourself?"

MINARCIN: "I saw the actual traffic, sir."

THE CHAIRMAN: "It referred to those specific POWs?"

MINARCIN: "Those were the only ones that had gone down in that area. The time frame, the logistic time frame, was indicative that those were from the Baron 52 aircraft."

THE CHAIRMAN: "Who else would have seen those particular documents?"

MINARCIN: "Just about everybody who was sitting at Nakhon Phanom, Thailand, sir (the 6908th USAF Security Squadron)."

FEBRUARY 13, 1992 -

In an interview with the Select Committee on POW/MIA Affairs, NSA Vietnamese linguist Berkeley Cook states that he recalled the Baron 52 incident well and that "at the time of the incident, he and many other analysts had 'problems' with the official account that all aboard the EC-47Q had died." Cook reportedly stated he was less troubled by the incident today as he had seen all the intercepts NSA had on reports of POWs being moved nearby at the general time of the incident. (13 Feb. 92 Memorandum to SSC Chief Counsel from SSC investigator)

JUNE 25, 1992 -

The following exchange took place at a public hearing of the Select Committee on POW/MIA Affairs during the testimony of Dr. Roger Shields, the former Assistant to the Assistant Secretary of Defense in charge of POW/MIA policy matters in 1973:

THE CHAIRMAN (Senator Kerry): "Is it not a fact that as of February, 1973, you personally had information about an EC-47Q shot down in Laos and you believed that four members of that crew had survived, did you not?"

DR. SHIELDS: "Senator, in that case, the Air Force had investigated the incident and had declared those men dead."

THE CHAIRMAN: "I asked what you believed."

DR. SHIELDS: "My concern was that someone may very well have survived. I hold that concern today."

THE CHAIRMAN: "Didn't you believe personally, you had made a determination, you thought that four people had survived based on intelligence?"

DR. SHIELDS: "I thought that it was possible that four individuals had survived. We did not have a complete investigation. The Air Force went into that crash site and found remains within that aircraft. They were not able to establish how many remains they saw. There were very serious questions about that and I had learned that it was unwise to make early opinions about serious questions like this without investigating the facts."

"Now, I am still concerned about that, although I am told by DIA that a very thorough analysis of the intelligence relating to that aircraft does not support the contention that people were alive. I still have very serious questions about that, yes I do."

THE CHAIRMAN: "...you made a determination based on intelligence that four people might have survived."

DR. SHIELDS: "Senator, yes, they might have, and they might not have --"

THE CHAIRMAN: "Stop there, yes, they might have. That is an indication that people might have been alive?"

DR. SHIELDS: "Certainly people might have been alive."

THE CHAIRMAN: "...In your deposition: Question: Then just to review the bidding again on February 4th and 5th, we had the downing of the EC-47Q and within several weeks after that we have intelligence, you said, I think we had the intelligence sooner than that. Question: That the four may have been prisoners of war. Answer: Yes."

THE VICE CHAIRMAN (Senator Smith): "...So for the President of the United States to come out and say all of the POWs from Indochina are returned, maybe all the POWs and maybe not, as far as Vietnam, but we certainly had no information on Laos, is that not true?"

DR. SHIELDS: "Senator, I agree. I can't speak for the President on that issue. To go back to this EC-47, and I think it is important, that was an aircraft that was downed. I would have put those individuals, had I been doing it, in a missing in action status, because I think that's exactly what it's for."

THE VICE CHAIRMAN: "How were they classified?"

DR. SHIELDS: "They were classified as killed in action."

THE VICE CHAIRMAN: "It is a very important point, and I am not accusing you of making the classification."

DR. SHIELDS: "I did not, Senator, I can assure you."

THE VICE CHAIRMAN: "I know that. I understand that. So here are four people on the EC-47 who we received intelligence on, whether it is accurate or not, but we received it almost immediately that four of these people survived. Whether they did or not is a matter of conjecture. But we do know that we received intelligence that said they were alive. We immediately classified them KIA, correct?"

DR. SHIELDS: "That is essentially what happened. The report said that four pirates had been captured."

"...There were a number of crew members. Four, according to the intercepts, might have survived. We don't know who those four would have been."

SEPTEMBER 25, 1992 -

The Select Committee on POW/MIA Affairs requested that the Lao Government "confirm" that the investigation of the Baron 52 crash site excavation would take place, as had tentatively been scheduled by JTF-FA. The Committee stressed to the Lao Government that this excavation was a "priority" of the Senate Select Committee.

SEPTEMBER 26, 1992 -

During a private meeting between retired USAF Chief Master Sgt. Ron Schofield and the brothers of one of the missing crewmembers, Peter Cressman, Schofield is reported to have stated that "there were no bodies in the rear of the airplane, and no electronic equipment contained in the wreckage, and the jump door had been jettisoned." (Ltr. to Sen. Smith from Pat Cressman 3 Oct. 92)

OCTOBER, 1992 -

Ron Schofield, one of the first persons to inspect the Baron 52 crash site on February 9, 1973, is deposed by the Select Committee on POW/MIA Affairs. Schofield confirmed under oath his earlier statements and disputed DIA Senior Analyst Bob Destatte's assertions during sworn testimony at the November, 1991 and August, 1992 SSC public hearings. (Unclassified version available at National Archives, SSC files)

NOVEMBER 2, 1992 -

For two hours in the morning, a Joint Task Force Full Accounting survey team consisting of 7 U.S. personnel conducted a survey at the Baron 52 crash site (YC143291).

The following pertinent information on the survey was reported in JTF-FA unclassified cables:

"On the morning of 2 Nov 1992, a Joint U.S.-LAO Survey Team surveyed a crash site believed to be associated with case 1983 at a remote location near Ban Tang Pong in Xekong Province. Much of the wreckage was still at the site, although local villagers had recently salvaged aluminum and smaller metal parts."

"Witnesses recalled seeing one corpse lying outside (immediately adjacent to the right side of the front portion) of the aircraft hours after the crash, but were unable to see inside the still burning aircraft."

"Subsequently (about one hour later), they saw aircraft come into the area, including one helicopter which lowered three people who later set the wreckage on fire again. Upon returning to the site after the aircraft left, the witnesses noticed the one corpse they had seen was gone, apparently taken away by the helicopter."

"During metal scavenging, residents stated they did not see remains. During a two hour surface search, the survey team located one dog tag (Matejov) and several pieces of personal equipment, including (several pieces of at least) two flight suits."

JANUARY 10, 1993 -

Pat Cressman, the brother of one of the missing crewmembers, Peter Cressman, received a letter from Jack Melton, who was assigned to Ubon, Thailand with the 6994th Air Squadron "right after the Baron 52 tragedy."

Melton stated, "While at Ubon, I read a shootdown report, hopefully now unclassified, which reported an 'indigenous person' as stating that he saw a number of 'fliers' being loaded onto a truck in the vicinity of the crash."

JANUARY 16, 1993 -

The excavation of the Baron 52 crash site was begun in Laos.

FEBRUARY 1, 1993 -

According to JTF-FA message traffic, the Baron 52 excavation site was officially closed on February 1st by the Joint Task Force following excavation work begun on January 16th.

FEBRUARY 2, 1993 -

The excavation of Baron 52 was reported by JTF-FA to be "still in progress." (Gen. Christmas letter dated 2/2/93)

FEBRUARY 4, 1993 -

Concerning the original February, 1973 NSA messages and other possible reports, DIA's Deputy Director Charles Trowbridge stated in a letter to Senator Smith:

"We have reviewed our database, and we can find no live-sighting or hearsay reports acquired in 1973 which were ever correlated to the unaccounted for crewmembers of the EC-47Q."

"There is one report from 1973, with which the members of the Select Committee are very familiar, about which there was some speculation in this regard. As you know, DIA's stance is that this speculation was completely without merit."

FEBRUARY 9, 1993 -

According to a summary report of U.S. - Lao Joint Field Activity by JTF-FA, the following was reported to have been recovered at the Baron 52 crash site during excavation work between January 16th and February 1st:

"From 16 Jan to 1 Feb 93, the crash site associated with Case 1983 (Baron 52) was excavated. Standard archaeological procedures were implemented throughout the excavation. Tens of thousands of pieces of wreckage were recovered, as well as approximately 20 pieces of bone fragments (nothing larger than approximately 17mm x 11mm x 8mm in length, width, and thickness) and one tooth with preliminary analysis to be an upper pre-molar with restoration. Also found at the site were personal effects, including three identification tags. Portions of flight suit material, coins, and watch backings. All recoverable remains were obtained and the site was officially closed on 1 February 1993. Recommend no further field work."

Senator SMITH. And I—an EC-47 surveillance electronic aircraft with eight men aboard was shot down by the North Vietnamese forces in Laos. Remember the date February 5, 1973, after the Paris peace accords were signed. These were already signed, only 1 week after the accords.

The call sign for the aircraft was Baron 52. That's where the term comes from. Two days later, the crash site was located by our SAR item, search and rescue. They observed four bodies in the front seat, front part of the plane. But they weren't able to get to the back part of the aircraft due to time constraints caused by high-density enemy personnel in the area. In fact, two PAVN regiments were stationed only a few miles away and they did recover one body.

Mr. Chairman, I am just talking—I just had started to talk about the Baron 52 incident in which the aircraft was shot down in February 1973 after the Paris peace accords were signed and only one body was recovered and there were seven missing people and they—the rescue personnel did testify that they had seen three bodies in the front portion of the aircraft.

Now, in February 1993—

Mr. DORNAN. Senator, would you excuse me 1 minute.

Are you going to continue to talk about Baron 52?

Senator SMITH. I am just going to run quickly and then I am going to end. I am almost finished.

Mr. DORNAN. Well, Mary—

Senator SMITH. She is here.

Mr. DORNAN [continuing]. The mother, is here. I could ask her up later. I thought if you were going to spend some length of time on it, I would have her sit with you and ask her a few questions.

Senator SMITH. I have submitted a complete analysis of that for the record. I have no—no problem at all if you wish to invite her.

Mr. DORNAN. If any of my other members show up and they have any questions, I will ask her to come up and join you.

Go ahead.

Senator SMITH. Let me just finish this point, and then I will be finished.

In February 1993, 20 years later to the month of the Baron 52 incident, our team did a crash site excavation of the Baron 52. They recovered dog tags associated with 2 of the backseaters as well as 22 v-rings which supposedly accounted for all 8 parachutes on board and would have prevented anyone from exiting the aircraft alive after the crash. Very limited forensic evidence was also recovered.

Now the Pentagon announces 2 weeks ago that the remaining seven had all been accounted for based on the evidence recovered in 1993.

Now, here is the problem with that and why it makes it so difficult for a mother like Mary Matejov, who lost her son Joseph in that incident. Why is the Pentagon closing this case on that kind of evidence?

Now, I understand that we should close cases when we can, but at 1:25 a.m. on February 5—this is very important—Baron 52 radioed that the plane was being fired upon by enemy forces. At 1:25 a.m.

Seven hours later, at 8:22 a.m., the National Security Agency intercepted—listen carefully to my words, Mr. Chairman—intercepted a North Vietnamese radio message which stated that four pirates were being held captive and orders were being requested on what to do with them. This is after the Paris peace accords.

NSA indicated at the time that the term “pirates” usually referred to Americans.

On February 8, NSA again summarized and amplified on this intercept in their weekly Southeast Asia summary report which was distributed throughout U.S. intelligence. The heading for the message was “general developments Laos.”

Now, here is the problem that Mary Matejov has to face, and it's a good example of what the families have had to endure while their country now normalizes, normalizes, with Vietnam, and that's why I think it's a slap in the face of the families.

In 1973—and I am just going to give—this is my final point, and it's the summary here—the Pentagon's point man on the MIA issue, Dr. Roger Shields, and NSA analysts, not just Jerry Mooney, we are talking about NSA analysts. Mooney has been much maligned, but it was far more than Mooney who believed that the intercept might relate to the Baron 52 backseaters whose remains were not observed by the SAR team. No other plane, South Vietnamese, Laos, American, British, French, any other aircraft, was shot down in Vietnam or Laos on that day, none.

I would point out that our Senate committee heard evasive and erroneous testimony in this case from one analyst in 1992 who later corrected his testimony but only in part, and this caused great anguish to Mary Matejov, to say the least. No Vietnamese records have ever been provided on this incident. Nothing has ever been provided on this incident. They just let us go there.

Now, bear in mind, enemy forces in the area. They pick those remains up that our SAR team saw. We never got them back. We don't know what happened to the backseaters. No one observed remains in there, so maybe they got out.

Mr. DORNAN. How close to the ground did our SAR rescue effort get?

Senator SMITH. They got to the plane. They took one member out, one body out, but they had to run because of the people in the area.

Now, where are the records on this incident? This is after the conclusion of the war, Mr. Chairman. They have got these records.

We put Mary Matejov and other relatives of these people through this horrible ordeal, this roller coaster, all over the years, and yet we sit down and we talk to these people about oil drilling and aircraft routes and ambassadors. It is wrong. That's why I bring it up. It's morally wrong to do it.

They know what happened to that aircraft. I don't know if these men are alive, and I certainly would never insinuate that they may be alive, to put false hopes in Mary's mind or anyone else's, but I do know that the Vietnamese know what happened to them. Of course they know. They have never told us.

So instead of giving any benefit of the doubt to Mary or to her son, in view of this unexplained intercept, the absence of any identifiable remains, the Pentagon wants to close the case and tell

them they are going to, quote/unquote, bury the remains. One tooth, that's what we have from that site, one tooth from seven men.

Mr. DORNAN. But the tooth is from the site?

Senator SMITH. One tooth.

Mr. DORNAN. So we have nothing by DNA?

Senator SMITH. Nothing.

Mr. DORNAN. Blood type?

Senator SMITH. Nothing.

Mr. DORNAN. Or accurate dental records which I have seen on one tooth. I have to concede that's that man's tooth.

Senator SMITH. That might be one person. We are being asked to accept burial, closing the case, on January 8. Now, I ask you, is that fair?

Mr. DORNAN. No; I don't think it is.

Senator SMITH. That's what I would conclude on.

Mary Matejov could answer better than me whether that's fair. Does that mean we are going to go the last mile to get every last stem of evidence that——

Mr. DORNAN. Would you mind bringing Mary forward?

Senator SMITH. I am finished.

[The prepared statement of Senator Smith follows:]

STATEMENT BY U.S. SENATOR BOB SMITH (R-NH)
VICE-CHAIRMAN, SELECT COMMITTEE ON POW/MIA AFFAIRS (1991-1993)
MEMBER, JOINT U.S./RUSSIAN COMMISSION ON POW/MIAS (1992-PRESENT)
MEMBER, COMMITTEE ON ARMED SERVICES (1991-PRESENT)

*Before the House National Security Subcommittee
on Military Personnel*

December 14, 1995

MR. CHAIRMAN, LET ME BEGIN BY THANKING YOU FOR YOUR STEADFAST EFFORTS ON BEHALF OF AMERICA'S MISSING SERVICEMEN OVER THE LAST 25 YEARS. AS I STATED IN MY PREPARED REMARKS FOR YOUR JUNE, 1995 HEARING, NO ONE IN THE CONGRESS HAS WORKED HARDER AND FOR MORE YEARS THAN YOU HAVE ON BEHALF OF POWS AND MIAS. AMERICANS OWE YOU A GREAT DEAL OF GRATITUDE FOR THE LASER FOCUS YOU CONTINUE TO BRING TO THE POW/MIA ISSUE.

I AM PLEASED TO APPEAR BEFORE YOU THIS MORNING TO DISCUSS MY VIEWS ON THE PRESIDENT'S POLICY TOWARD VIETNAM AND WHETHER IT IS REALLY PRODUCING RESULTS FOR THE FAMILIES WHO STILL WAIT FOR ANSWERS AFTER SO MANY YEARS. AS YOU KNOW, DURING YOUR RECENT NOVEMBER HEARING, I SUBMITTED FOR THE RECORD A RATHER LENGTHY STATEMENT I MADE ON THIS ISSUE IN THE SENATE ON OCTOBER 31, 1995. I DO NOT INTEND TO GO BACK THROUGH THAT STATEMENT IN GREAT DETAIL, BUT THERE ARE SOME KEY POINTS THAT I WANT YOUR COMMITTEE, AND THE AMERICAN PEOPLE TO UNDERSTAND.

I WANT TO REMIND EVERYONE HERE OF WHAT HAPPENED IN KOREA AND VIETNAM WITH THE AGREEMENTS WE SIGNED THERE. IN LATE JULY, 1952, DESPITE THE INCOMPLETENESS OF THE PRISONER LISTS, AND THE EVIDENCE WE HAD OF PRISONERS NOT ACCOUNTED FOR BY CHINA AND NORTH KOREA, WE WENT AHEAD WITH THE AGREEMENT. ON AUGUST 6, 1952, GENERAL MARK CLARK, THE COMMANDER OF U.S. FORCES IN THE FAR EAST, TOLD THE NEW YORK TIMES THE FOLLOWING -- "HE SAID THAT HE HAD BEEN ADVISED BY HIS SUPERIORS IN THE PENTAGON NOT TO DELAY THE ARMISTICE NEGOTIATIONS OVER THE WIDE DISCREPANCY ON PRISONER LISTS, BUT TO RESERVE THE PRIVILEGE OF LATER PROTEST." FOR 40 YEARS, MR. CHAIRMAN, LATER PROTEST CONSISTED OF THE U.N. SIDE PASSING A LETTER ACROSS THE TABLE TO THE NORTH KOREANS EACH YEAR ASKING FOR INFORMATION. THE NORTH KOREAN REPLY, IN ESSENCE, WAS WE HAVE NO INFORMATION TO PROVIDE THE U.N. SIDE, BUT IF THE UNITED STATES WANTS TO APPROACH US BILATERALLY TO TALK ABOUT IT, THAT'S OKAY, AND MAYBE INFORMATION WILL BE PROVIDED. I SAW SOME

OF THIS INFORMATION, MR. CHAIRMAN, WHEN I WENT TO PYONGYANG IN 1992, AND 43 YEARS LATER, THE ADMINISTRATION STILL WON'T FORM A HIGH-LEVEL COMMISSION WITH NORTH KOREA AND CHINA TO DEAL WITH THIS ISSUE, DESPITE THE URGING OF CONGRESS.

TURNING TO VIETNAM, YOU HAVE PROBABLY ALL SEEN THE MEMOS FROM OUR SELECT COMMITTEE INVESTIGATION IN 1992 WHERE HIGH-LEVEL POLICY LEVEL AND INTELLIGENCE OFFICIALS HAD EXPRESSED CONCERN ABOUT THE INCOMPLETENESS OF THE POW LISTS WHICH WERE EXCHANGED AFTER THE PARIS ACCORDS WERE SIGNED, PARTICULARLY WITH REGARD TO LAOS. WE HAD SIMILAR TESTIMONY BEFORE OUR COMMITTEE FROM THESE FORMER OFFICIALS. SADLY, WHAT HAPPENED WITH VIETNAM IS ALMOST EXACTLY WHAT HAPPENED WITH KOREA. I WANT TO QUOTE FROM THE STATEMENT AMBASSADOR WINSTON LORD PROVIDED TO OUR SELECT COMMITTEE ON SEPTEMBER 21, 1992. HE WAS THERE IN 1972 AND 73. HE KNEW WHAT HAPPENED. THIS WAS HIS QUOTE -- "THE PRESIDENT IN THE END DECIDED NOT TO SCUTTLE THE AGREEMENT AND RESUME THE WAR OVER THE MIA QUESTION. IT WAS A VERY DIFFICULT DECISION." I AM SURE IT WAS, MR. CHAIRMAN. BUT THE POINT IS HISTORY REPEATED ITSELF.

LET ME NOW TURN TO OUR CURRENT POLICY TOWARD VIETNAM AND MAKE A FEW OBSERVATIONS --

FIRST AND FOREMOST, IT IS MY FIRM BELIEF THAT THE PRESIDENT AND KEY ADMINISTRATION OFFICIALS DELIBERATELY MISLED THE AMERICAN PEOPLE THIS PAST SUMMER WHEN THEY PRAISED VIETNAM'S COOPERATION ON THE POW/MIA ISSUE. THEY MADE THESE STATEMENTS IN AN EFFORT TO JUSTIFY THE PRESIDENT'S DECISION TO PROCEED WITH FULL NORMALIZATION OF DIPLOMATIC RELATIONS WITH VIETNAM. MR. CHAIRMAN, THANKS TO YOUR COMMITTEE, THIS RHETORIC BY THE ADMINISTRATION HAS FINALLY BEEN SERIOUSLY CHALLENGED.

SECOND, THE ADMINISTRATION DELIBERATELY DELAYED THE FURNISHING OF UPDATED POW/MIA CASE INFORMATION TO THE CONGRESS FOR OVER A YEAR IN VIOLATION OF THE DEFENSE AUTHORIZATION ACT. IT ALSO WITHHELD THE INFORMATION FROM CONGRESSMAN GILMAN AND OTHER HOUSE MEMBERS WHO REQUESTED SIMILAR INFORMATION IN WRITING AS EARLY AS FEBRUARY, 1994 RIGHT BEFORE PRESIDENT CLINTON LIFTED THE TRADE EMBARGO. IT IS CLEAR TO ME THAT THIS WAS DONE TO PREVENT US FROM HAVING FIRM EVIDENCE TO SHOW THAT VIETNAM WAS NOT BEING FULLY FORTHCOMING AND COOPERATIVE ON THE POW/MIA ISSUE. ONCE AGAIN, MR. CHAIRMAN, YOUR PERSISTENT EFFORTS, INCLUDING THE THREAT OF A SUBPOENA, HAVE FINALLY PRODUCED THE LONG-AWAITED ASSESSMENTS WHICH PROVE THAT THE ADMINISTRATION MISLED THE AMERICAN PEOPLE IN TERMS OF POW/MIA COOPERATION BY VIETNAM. I WOULD POINT OUT, HOWEVER, THAT THERE ARE STILL OTHER PENDING REQUESTS, SUCH AS THE VINH PHU LIVE-SIGHTING REPORTS, THAT HAVE

NOT BEEN ADEQUATELY RESPONDED TO BY THE ADMINISTRATION.

FOR SIX MONTHS, I HAVE BEEN ASKING GENERAL JIM WOLD TO LOCATE AND BRING TO THIS CONGRESS A NORTH VIETNAMESE FORMER PUBLIC PROSECUTOR WHO ESCAPED FROM VIETNAM IN 1980 TO CHINA AFTER BEING FIRED FROM HIS JOB FOR MARRYING AN ETHNIC CHINESE WOMAN -- JUST LIKE THE MORTICIAN WHO WAS FIRED FOR HIS ETHNIC CHINESE ROOTS. HE FINALLY MADE IT TO A REFUGEE CAMP IN SOUTH KOREA IN 1988 AND WAS SUBSEQUENTLY SETTLED IN AUSTRALIA IN 1991. DURING HIS DEBRIEFING IN 1990 IN THE REFUGEE CAMP, HE TOLD U.S. PERSONNEL THAT HE HAD SEEN AMERICAN POWS IN AN UNDERGROUND FACILITY IN MAY, 1972, DURING THE WAR, 30 KILOMETERS WEST OF SON TAY IN VINH PHU PROVINCE, NORTH VIETNAM. THIS SOURCE WAS DESCRIBED AT THE TIME AS BEING INTELLIGENT AND COOPERATIVE DURING THE INTERVIEW. I CAN'T SIT HERE AND TELL YOU THE REPORT WAS ACCURATE, BUT I KNOW WE SHOULD BE ALLOWED TO MEET THE SOURCE AND HEAR HIS STORY FIRST-HAND. I WOULD ALSO POINT OUT THAT SUBSEQUENT REPORTING IN 1984 STATED THAT A PAVN CAPTAIN HAD INDICATED THAT THE LOCATION OF THIS UNDERGROUND PRISON WAS PART OF A RESTRICTED MILITARY SECURITY ZONE IN THE MOUNTAINS IN VINH PHU PROVINCE, AND THAT IT STILL HELD AMERICAN POWS LONG AFTER THE WAR.

AS YOU KNOW, MR. CHAIRMAN, DESPITE THE SWORN TESTIMONY YOU HEARD EARLIER THIS YEAR FROM STATE AND DOD OFFICIALS, U.S. INVESTIGATORS HAVE STILL NOT BEEN ALLOWED INTO THIS SECURITY ZONE BY VIETNAMESE OFFICIALS AND OUR INTELLIGENCE COMMUNITY KNOWS THIS IS A FACT. I WOULD ASK WHETHER THIS CONSTITUTES FULL COOPERATION.

MR. CHAIRMAN, I HOPE YOU WILL JOIN ME IN SEEKING GENERAL WOLD'S COMMITMENT TO USE THE FULL POWER OF THE UNITED STATES GOVERNMENT TO LOCATE THIS SOURCE AND BRING HIM HERE SO WE CAN TALK TO HIM. IF THIS REQUEST CONTINUES TO DRAG ON, IT WILL ONLY MAKE ME WONDER WHY THE ADMINISTRATION DOES NOT WANT TO HELP US MEET WITH THIS SOURCE. IT ALSO MAKES YOU WONDER WHETHER HIS STORY AND VIETNAM'S LACK OF FULL COOPERATION ON THIS LIVE-SIGHTING MAY PREVENT THE PRESIDENT FROM EXPANDING THE EMBASSY IN VIETNAM UNDER THE TERMS OF THE CURRENT STATE DEPARTMENT APPROPRIATIONS BILL.

CONCERNING THE PENTAGON'S CASE ASSESSMENTS, EVEN THOUGH OUR STAFFS HAVE ONLY JUST BEGUN THEIR REVIEW, IT IS ALREADY CLEAR THAT THE EVIDENCE IN MANY OF THESE FILES IS CONTRARY TO THE POLICY-LEVEL RHETORIC. YOU WILL HEAR FROM SOME OF THE FAMILY MEMBERS INVOLVED LATER, BUT THE ASSESSMENTS BY THE PENTAGON'S OWN INTELLIGENCE ANALYSTS MAKE IT CLEAR THAT VIETNAM IS NOT BEING FULLY FORTHCOMING ON THE POW/MIA ISSUE WITH RESPECT TO SEVERAL HUNDRED POW/MIA CASE.

THIRD, I FIND IT EXTREMELY DISAPPOINTING THAT THE ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS, AMBASSADOR WINSTON LORD, AND THE DEPUTY SECRETARY FOR VETERANS AFFAIRS, HERSHEL GOBER, WERE THE ADMINISTRATION LEADERS IN THE GREAT PUSH FOR NORMALIZATION. THEY CAN SPEAK FOR THEMSELVES ON THE NEXT PANEL, BUT ALLOW ME TO MAKE A FEW OBSERVATIONS --

WITH RESPECT TO AMBASSADOR LORD, HE KNOWS, MORE THAN ANY OTHER POLICY-LEVEL OFFICIAL IN THIS ADMINISTRATION, THE EXTENT OF VIETNAM'S DUPLICITY ON THE POW/MIA ISSUE. HE ALSO KNOWS THAT SERIOUS AND HIGH-LEVEL NEGOTIATIONS WITH HANOI ARE THE ONLY WAY TO FORCE THE VIETNAMESE TO TAKE UNILATERAL ACTION ON THE POW/MIA ISSUE. AFTERALL, AMBASSADOR LORD WAS ON DR. KISSINGER'S NATIONAL SECURITY COUNCIL STAFF DURING THE PARIS PEACE TALKS IN 1972. HE TRAVELED TO HANOI WITH DR. KISSINGER IN FEBRUARY, 1973. HE KNEW WHAT VIETNAM WAS CAPABLE OF DOING ON THE POW/MIA ISSUE, PARTICULARLY WITH RESPECT TO LAOS.

WE HAVE THE MEMOS TO DR. KISSINGER FOR THAT TRIP WHERE BOTH HE AND AMBASSADOR LORD WERE TOLD BY THE DIRECTOR OF THE DEFENSE INTELLIGENCE AGENCY THAT HANOI WAS BELIEVED TO HAVE INFORMATION ON AT LEAST 215 MIAS IN LAOS. DURING YOUR LAST HEARING, MR. CHAIRMAN, YOU WERE TOLD BY PENTAGON ANALYSTS WHAT AMBASSADOR LORD ALREADY KNOWS. YOU WERE TOLD THAT PENTAGON ANALYSTS CONTINUE TO THIS DAY TO BELIEVE THAT HANOI HAS MORE INFORMATION ON AT LEAST 250 MIAS CASES FROM LAOS. THE SEPTEMBER, 1993 "559 DOCUMENT" DISCLOSURE FROM VIETNAM ONLY REINFORCED WHAT AMBASSADOR LORD WAS TOLD IN 1973. IN FACT, THE PENTAGON'S OWN ANALYSTS CONCLUDED IN 1993 THAT THIS DOCUMENT CONCLUSIVELY DEMONSTRATED THAT MORE RECORDS EXISTED ON AMERICAN LOSSES IN LAOS.

YET, FACED WITH THIS INFORMATION, AND AFTER HAVING WORKED FOR PRESIDENT CLINTON FOR ONLY 9 MONTHS, AMBASSADOR LORD STATED, IN DECEMBER, 1993, THAT VIETNAM'S COOPERATION ON THE POW/MIA ISSUE HAD BEEN "ABSOLUTELY SUBERB." LAST MAY, WHILE IN HANOI, HE STATED, "WE HAVE NO REASON TO BELIEVE THE VIETNAMESE ARE NOT MAKING A GOOD FAITH EFFORT." AND ONLY TWO WEEKS AGO, IN A SPEECH AT THE STATE DEPARTMENT, AMBASSADOR LORD STATED VIETNAM'S COOPERATION ON THE POW/MIA ISSUE WAS "GREAT," EVEN THOUGH WE STILL HAVE NOT RECEIVED ADDITIONAL WARTIME DISCLOSURES FROM VIETNAM ON OVER 250 AMERICAN SERVICEMEN THEY EITHER SHOT DOWN OR CAPTURED IN LAOS. AND LAOS IS ONLY ONE EXAMPLE WHERE VIETNAM IS HOLDING BACK INFORMATION.

HANOI IS ALSO WITHHOLDING RELEVANT WARTIME INFORMATION FROM THEIR CENTRAL COMMITTEE-LEVEL ARCHIVES, TO INCLUDE INFORMATION REFERENCED IN VIETNAMESE POLITBURO REPORTS WE OBTAINED FROM THE

RUSSIANS. IN FACT, THE VIETNAMESE HAVE BLATANTLY LIED CONCERNING THESE DOCUMENTS, AND THE PRESIDENT HAS LET THEM OFF THE HOOK. TO USE AMBASSADOR LORD'S WORDS, THE RUSSIAN DOCUMENTS, QUOTE, "WERE NOT SIGNIFICANT FACTORS" ,ENDQUOTE, IN THE PRESIDENT'S DECISION TO NORMALIZE, EVEN THOUGH TWO FORMER NATIONAL SECURITY ADVISORS, DR. KISSINGER AND DR. BRZEZINSKI, WERE EXTREMELY DISTURBED ABOUT THE REVELATIONS IN THE DOCUMENTS. DR. BRZEZINSKI CALLED FOR WAR CRIMES TRIALS AGAINST THE VIETNAMESE WHEN THESE RUSSIAN DOCUMENTS WERE DISCLOSED. AND DR. KISSINGER STATED HE COULD NOT SEE HOW WE COULD PROCEED WITH NORMALIZATION UNTIL THESE DOCUMENTS WERE CLEARED UP. IN JANUARY, 1994, THE CIA ADMITTED, IN A PUBLISHED DOCUMENT, THAT THERE WAS PROBABLY MORE INFORMATION IN VIETNAMESE PARTY AND MILITARY ARCHIVES THAT COULD SHED ADDITIONAL LIGHT ON THE RUSSIAN DOCUMENTS. DO WE HAVE THAT INFORMATION, MR. CHAIRMAN? THE ANSWER IS NO. YET, THE PRESIDENT WANTS US TO FUND HIS EFFORT TO HAVE FULL RELATIONS WITH VIETNAM. THIS IS REPREHENSIBLE.

LAST WEEK, WE LOST A REAL HERO IN THE FIGHT FOR THE TRUTH -- RUSSIAN GENERAL DMITRY VOLKOGONOV, WHO CHAIRED A JOINT COMMISSION ON WHICH I SERVE SEARCHING FOR INFORMATION ON POWS AND MIAS. GENERAL VOLKOGONOV TOLD ME IN MY OFFICE THAT HE WAS CERTAIN THAT THESE VIETNAMESE POLITBURO PRESENTATIONS OCCURED, DESPITE VIETNAMESE DENIALS. HE WAS CERTAIN BECAUSE HE REVIEWED EXACTLY HOW THE GRU ACQUIRED THE DOCUMENT IN 1972. YET, THE VIETNAMESE HAVE BEEN LET OFF THE HOOK CONCERNING THESE DOCUMENTS.

I AM SURE AMBASSADOR LORD AND OTHERS WILL DEFEND THE ADVICE THEY GAVE TO THE PRESIDENT WHICH RESULTED IN HIS DECISION TO NORMALIZE. FIRST THEY SAY WE HAVE "SPLENDID AND SUPERB" COOPERATION. THEN THEY STATE THAT NORMALIZATION OF RELATIONS IS THE BEST WAY TO GET THE ANSWERS WE STILL DON'T HAVE. THEY TRY TO HAVE IT BOTH WAYS. I WOULD NOTE THAT AMBASSADOR LORD MADE THE SAME ARGUMENT IN 1994 WHEN PRESIDENT CLINTON LIFTED THE TRADE EMBARGO AGAINST HANOI. NEARLY TWO YEARS LATER, WE STILL HAVE NOT HAD FULL DISCLOSURE BY VIETNAMESE OFFICIALS ON THE HARDCORE CASES IN BOTH LAOS AND VIETNAM. HOW MUCH LONGER ARE WE SUPPOSED TO WAIT? IT IS CLEAR THAT THE PRESIDENT'S POLICY IS NOT WORKING AND CANNOT WORK IN THE ABSENCE OF SERIOUS NEGOTIATIONS WITH VIETNAM COUPLED WITH A FIRM APPROACH. HISTORY, AS I EXPLAINED EARLIER, SHOULD BE OUR TEACHER IN THIS REGARD.

WITH RESPECT TO THE DEPUTY SECRETARY OF VETERANS AFFAIRS, MR. GOBER, HE HAS NOT HEEDED THE VIEWS OF THE MAJORITY OF OUR NATIONAL VETERANS ORGANIZATIONS. THE AMERICAN LEGION, THE DISABLED AMERICAN VETERANS, AMVETS, AND VIETNAM VETERANS OF AMERICA, -- FOUR OF OUR NATION'S LARGEST VETERAN ORGANIZATIONS -- WERE OPPOSED TO NORMALIZING RELATIONS WITH VIETNAM BEFORE THE

PRESIDENT WAS ABLE TO STATE THAT VIETNAM WAS FULLY COOPERATING ON THE POW/MIA ISSUE. ONLY THE VFW NATIONAL LEADERSHIP WAS OPPOSED, AND I HAVE SINCE LEARNED THAT VFW'S SUPPORT FOR THE PRESIDENT'S DECISION IS SUSPECT AT BEST. I INTEND TO RAISE THAT MATTER SEPARATELY WITH MR. GOBER. IN SHORT, MR. CHAIRMAN, THE DEPUTY SECRETARY OF VETERANS AFFAIRS WAS THE LAST PERSON, IN MY VIEW, WHO SHOULD HAVE BEEN ADVOCATING FULL NORMALIZATION OF RELATIONS WITH HANOI IN THIS PREMATURE FASHION AGAINST THE WISHES OF THE MAJORITY OF OUR NATION'S VETERANS.

MR. CHAIRMAN, THE ADMINISTRATION WILL TELL YOU THAT POLLS INDICATE THE AMERICAN PEOPLE, BY A NARROW MARGIN, SUPPORT THE PRESIDENT'S DECISION. I WOULD ARGUE THAT IF YOU ASKED THE AMERICAN PEOPLE IF THEY WOULD SUPPORT FUNDING FOR NORMALIZATION OF RELATIONS WITH VIETNAM IF THERE WAS EVIDENCE VIETNAM STILL HAD ADDITIONAL INFORMATION ON MISSING AMERICAN SERVICEMEN THAT OUR INTELLIGENCE COMMUNITY BELIEVED THEY COULD UNILATERALLY PROVIDE, THEY WOULD OVERWELMINGLY SAY NO. WHAT'S BEEN MISSING FROM THE PUBLIC DEBATE, MR. CHAIRMAN, IS THE EVIDENCE. FORTUNATELY, THE CONGRESS NOW HAS THE EVIDENCE AND WE INTEND TO SHARE IT WITH THE AMERICAN PEOPLE, IN FORUMS SUCH AS THIS ONE, AND WE WILL SEE WHERE THE VOTES ARE IN THE 104TH CONGRESS.

BEFORE I CONCLUDE, MR. CHAIRMAN, I WANT TO BRIEFLY COMMENT ON THE WORK THAT WAS DONE BY THE SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS. AS YOU KNOW, I WAS THE VICE-CHAIRMAN OF THAT COMMITTEE WHICH ISSUED ITS FINAL REPORT IN JANUARY, 1993 -- THE SAME MONTH PRESIDENT CLINTON TOOK OFFICE. SOME OF OUR FINDINGS HAVE BEEN MISREPRESENTED BY PENTAGON OFFICIALS IN THIS ROOM DURING YOUR PREVIOUS HEARINGS, SO I WANT THE RECORD TO BE CLEAR REGARDING MY VIEWS ON THIS MATTER. WHILE I BELIEVE WE COULD HAVE REACHED EVEN BOLDER CONCLUSIONS ON THAT COMMITTEE, WE DID FIND CONSENSUS AMONG ALL 12 SENATORS IN ISSUING THE FOLLOWING FINDINGS

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** 1. "WE ACKNOWLEDGE THAT THERE IS NO PROOF THAT U.S. POWS SURVIVED, BUT NEITHER IS THERE PROOF THAT ALL OF THOSE WHO DID NOT RETURN HAD DIED. THERE IS EVIDENCE, MOREOVER, THAT INDICATES THE POSSIBILITY OF SURVIVAL, AT LEAST FOR A SMALL NUMBER, AFTER OPERATION HOMECOMING IN 1973." WE LISTED FIVE CATEGORIES OF SUCH EVIDENCE.

** 2. "THE COMMITTEE'S RECORD INDICATES THAT THERE EXISTED A HIGHER DEGREE OF CONCERN WITHIN THE ADMINISTRATION IN 1973 ABOUT THE POSSIBILITY THAT PRISONERS WERE BEING LEFT BEHIND IN LAOS THAN HAD BEEN KNOWN PREVIOUSLY, AND THAT VARIOUS OPTIONS FOR RESPONDING TO THAT CONCERN WERE DISCUSSED AT THE HIGHEST LEVELS OF GOVERNMENT." MR. CHAIRMAN, AS I PREVIOUSLY MENTIONED, YOU MAY HAVE SEEN THE PENTAGON MEMOS FROM LARRY EAGLEBURGER TO DR.

KISSINGER. THEY WERE LIKELY SEEN BY AMBASSADOR LORD AS WELL WHEN THEY WERE WRITTEN IN 1973.

** 3. "NONE OF THE DISCREPANCY CASES IN LAOS HAVE BEEN RESOLVED AND MANY OF THE AMERICANS LOST THERE DISAPPEARED IN AREAS UNDER THE CONTROL OF NORTH VIETNAMESE FORCES AT THE TIME...ANSWERS ON THESE TROUBLESOME CASES WILL BEST BE OBTAINED THROUGH AN ACCOUNTING PROCESS THAT ENJOYS FULL COOPERATION FROM THE GOVERNMENTS OF VIETNAM AND LAOS." MR. CHAIRMAN, YOU'LL NOTICE WE USED THE TERM "FULL COOPERATION" -- THE SAME TERMINOLOGY WE ARE USING IN THE STATE DEPARTMENT APPROPRIATIONS BILL. I WONDER IF AMBASSADOR LORD IS PREPARED TO SAY WE ENJOY FULL COOPERATION WITH RESPECT TO AN ACCOUNTING FOR THESE MIAS. I DOUBT IT. INDEED, DURING THE HOUSE-SENATE CONFERENCE TWO WEEKS AGO, WE WERE INFORMED BY STATE DEPARTMENT OFFICIALS THAT THE PRESIDENT COULD NOT CERTIFY VIETNAM WAS FULLY COOPERATING ON THE POW/MIA ISSUE IN VIEW OF THE RECENTLY COMPLETED CASE ASSESSMENTS.

WHEN SENATOR KERRY AND I TRAVELED TO HANOI IN DECEMBER, 1992, WE WERE GIVEN A WRITTEN PROMISE OF FULL COOPERATION BY VIETNAM ON THE LAOS CASES. IT WAS SIGNED BY THE FOREIGN MINISTER OF VIETNAM. IT IS A PROMISE THAT HAS YET TO BE FULFILLED, AND PENTAGON ANALYSTS CONFIRMED THIS FACT WITH RESPECT TO SOME 250 CASES IN LAOS BEFORE YOUR COMMITTEE DURING THEIR LAST APPEARANCE.

** 4. "SEVERAL COMMITTEE MEMBERS EXPRESS CONCERN AND DISAPPOINTMENT THAT, ON OCCASION, INDIVIDUALS WITHIN DIA (WHO ARE NOW WORKING FOR THE DEFENSE POW/MIA OFFICE) HAVE BEEN EVASIVE, UNRESPONSIVE, AND DISTURBINGLY INCORRECT AND CAVALIER...OTHERS HAVE PERFORMED THEIR WORK WITH GREAT PROFESSIONALISM."

MR. CHAIRMAN, I WANT TO CONCLUDE BY TELLING YOU WHY THE LAST FINDING I JUST READ CONTINUES TO TROUBLE ME.

THIS CONCERNS THE BARON-52 CASE, AN EC-47 SHOT DOWN BY NORTH VIETNAMESE UNITS IN LAOS ON FEBRUARY 5, 1973 -- OVER A WEEK AFTER THE PARIS PEACE ACCORDS WERE SIGNED. IN 1992, DURING THE SELECT COMMITTEE INVESTIGATION, WE DISCUSSED THIS CASE IN DETAIL AT A PUBLIC HEARING. IN SHORT, THE COMMITTEE WAS NOT DEALT WITH IN A STRAIGHTFORWARD MANNER BY DOD OFFICIALS CONCERNING INTELLIGENCE INFORMATION THAT MIGHT CORRELATE TO THIS CASE. INDEED, MEMBERS WERE MISLED BY A DOD OFFICIAL AT THE TIME -- SOMEONE WHO, INCIDENTLY, STILL WORKS FOR GENERAL WOLD.

NOW, IN THE ABSENCE OF IDENTIFIABLE REMAINS BEYOND HALF OF A TOOTH, AND IN THE ABSENCE OF RECORDS FROM NORTH VIETNAMESE ARCHIVES, THE PENTAGON HAS ANNOUNCED THAT THE ENTIRE CREW WILL BE BURIED ON JANUARY 8, 1996. WHILE WE KNOW THAT HALF OF THE CREW

DID PERISH IN THE CRASH, THERE IS NOT CONCLUSIVE EVIDENCE TO EXPLAIN THE NATIONAL SECURITY AGENCY INTERCEPTS INDICATING THE CAPTURE OF AMERICANS IN THE SAME AREA ON THE SAME DAY -- FEBRUARY 5, 1973. THIS IS VERY PAINFUL FOR THE FAMILIES INVOLVED, AND IT WOULD SEEM TO ME THAT IT WOULD BE MORE PRUDENT FOR AMBASSADOR LORD TO QUERY THE VIETNAMESE GOVERNMENT AT THE HIGHEST LEVEL FOR A SEARCH OF RECORDS ON THIS CASE WHEN HE GOES TO HANOI IN JANUARY RATHER THAN CLOSING THE CASE THIS WAY. IT IS WRONG TO CLOSE CASES IN SUCH A PREMATURE FASHION, AND THIS IS NOT THE FIRST TIME THE ADMINISTRATION HAS TRIED TO DO THIS. I DON'T KNOW WHETHER THE PENTAGON IS RIGHT OR WRONG WITH THEIR CONCLUSIONS ON WHAT THEY FOUND AT THE CRASH SITE. I KNOW THERE WERE DOG TAGS AND PARACHUTE RINGS AS WELL WHICH SUGGEST EVERYONE PERISHED IN THE CRASH. AT THE SAME TIME, THE NSA INTERCEPTS REMAIN UNEXPLAINED. AT THE VERY LEAST, THE BENEFIT OF THE DOUBT SHOULD GO TO THE MIAS, AND, IN MY MIND, A NEW, HIGH-LEVEL DEMARCHE TO THE VIETNAMESE FOR THEIR RECORDS ON THIS CASE IS JUSTIFIED.

MR. CHAIRMAN, I HOPE MY TESTIMONY THIS MORNING HAS BEEN USEFUL IN HELPING YOUR COMMITTEE TO UNDERSTAND THAT OUR CURRENT U.S. POLICY TOWARD VIETNAM IS NOT WORKING, AND WE HAVE A RESPONSIBILITY IN CONGRESS TO SPEAK UP ON BEHALF OF THE FAMILIES OF THOSE WHO ARE STILL MISSING.

LIKE YOU, I AM COMMITTED TO DOING EVERYTHING I CAN TO ENSURE THAT THE VIETNAMESE ARE FULLY FORTHCOMING ON THE POW/MIA ISSUE -- INCLUDING CUTTING THE FUNDS FOR FULL DIPLOMATIC AND ECONOMIC RELATIONS IF THAT'S WHAT IT TAKES TO SEND A MESSAGE TO PRESIDENT CLINTON AND THE VIETNAMESE GOVERNMENT THAT WE ARE SERIOUS ABOUT OUR COMMITMENT TO THIS ISSUE.

Mr. DORNAN. Mary, are you here? I just met Mary.

I am sorry. Mary, come forward and sit there for just a second.

Senator if you will forgive me; you probably know this well, you have immersed yourself in this in the most honorable way beyond any other House Member or Senator, even those like myself and Ben Gilman who have worked the issue for over a quarter of a century.

Mary.

STATEMENT OF MARY MATEJOV, MOTHER OF PRISONER OF WAR, JOSEPH A. MATEJOV

Mrs. MATEJOV. Yes.

Mr. DORNAN. In the contact between the Department of Defense and you, did you ever have a U.S. Senator or Congressman helping you or intervening in your behalf?

Mrs. MATEJOV. Yes; I did. My husband and I, we were living in New York at the time. We went to Congressman Lent and had him investigate.

Mr. DORNAN. Norm Lent, Long Island?

Mrs. MATEJOV. That's correct, and we got no good results at all. They would not admit it.

We did not even know about this captivity until I happened to listen to a television show. This is how I found out those four men were sighted. Then my husband talked to Sergeant Schofield, the man who was on the ground, that looked in the plane and gave my husband quite a bit of information.

I did not know whom my husband spoke to at the time. It was later that I found out from other testimony what Sergeant Schofield had said. He is the witness who should really be here. He is the witness that the Government did not want to testify until the families insisted.

But if you talk to Sergeant Schofield, if you talk to some of the men in the outfit—my husband contacted men secretly in the outfit—or talk to Dr. Roger Shields, who met secretly with my husband and me, he told us that these men's names were on the second list of known, live, captured Americans; and he was ordered to cross off their names and write over them, "Killed in action". He told them that they couldn't do that, they knew those men were captured. He was outranked. He was told, "They are dead," and he had to do it.

He said as soon as those prisoners came off that plane at Clark Air Force Base, he was going to fight to get these men's names back on that list; and he said the excitement of seeing all of those prisoners coming off the plane at Clark Air Force Base and all that was going on at that time, his words, I will never forget, were, "I am sorry. I dropped the ball".

Mr. DORNAN. This is Roger Shields?

Mrs. MATEJOV. Roger Shields said that to my husband and me secretly in a meeting in New York City. My husband promised him that we would never reveal this meeting. I was not there when he made the promise. I kept the promise until my husband's death in 1987.

When I saw that—certainly felt that my Government was abandoning these four men, it was then that I finally revealed that we had the meeting with Dr. Roger Shields.

But his words, "I am sorry, I dropped the ball," will be in my mind forever. He said that very definitely he wanted to get those men back on the list.

Senator SMITH. I think the issue here, Mr. Chairman, is, whatever happened to them, clearly the Vietnamese know and could tell us. It was an embarrassment to both sides because the plane went down after the war, after the armistice was signed, and—

Mr. DORNAN. Nine days later.

Senator SMITH. That's right. We were still in Laos, of course, operating.

Mr. DORNAN. Through August, and bombing.

Senator SMITH. That's right.

Mr. DORNAN. They had a seat in the United Nations and wanted us to deal with them.

Senator SMITH. The Vietnamese were clearly angered by it, and so were the Laotians, but they know what happened, and they should be made to tell us before we give them oil rights and start training with them. That's my only point.

And, you know, whatever they know, Mary Matejov deserves to know, and she doesn't; and we are not even asking for it, and we are going over there and normalizing relations. That's my point; it's just wrong.

Mr. DORNAN. Right.

Senator SMITH. To be very blunt about it.

Mr. DORNAN. Yes.

Mary, do you want the burial of your son?

Mrs. MATEJOV. Absolutely not. I have already told the Air Force that I will not attend the ceremony and I will not let them put my son's name on that marker.

I know that—without a doubt, I know my son was captured with the other three. If I presented myself at that service, then it would show that I was agreeing with my Government's decision. I do not agree with it. I will not be there.

I would like to honor the other families. Certainly, the pilots of that plane deserve to be honored. Those chips of bone could possibly be those three men in the plane. They—

Mr. DORNAN. Secretary Lord has not heard this, and he will probably be shocked, but I told General Wold that when another one of the controversial C-130 crashes was having a mass grave burial—memorial—with a handful of bone chips without one particle of human remains identified, that some mortuary person at Arlington—which I truly believe is hallowed ground, and I just like to go there—that he looked in the son's face and said, "Get over it. Your father is dead."

And I still can't trace who that arrogant person was. He certainly wasn't with the Defense POW/MIA Office [DPMO]. But I wouldn't want you to go through that. Maybe Senator Smith and I can appeal to Senator D'Amato as one of your New York Senators—

Mrs. MATEJOV. Yes.

Mr. DORNAN [continuing]. To call the Secretary of the Air Force, Sheila Widnall—I did not get a call back on the Mathis case—to

just postpone the ceremony. I would like you to be at Arlington, and if your son was alive for some time, at this point you can take that pain if they sent back remains.

I have a personal interest in this and I will tell you why. When I came here as a freshman and had a top secret clearance, I could go to the Defense Department and get accident, final transmissions, from men who went down in combat. I had a classmate, Bernie Conklin, whose name is on Colonel Woods' wall at the CIL, identified remains, had his funeral at home; he was the pilot of an EC-47 many years earlier, same unit. I read in the transcript in the Pentagon my friend Bernie, who claimed I saved him from drowning off the coast of Sarasota when we were in primary pilot training because he couldn't swim—here he is saying, "MiG's have gotten us, first engine shot up, No. 1 engine in flames, it looks like we are going down," and I am reading the last words of my friend Bernie Conklin.

Two years later—I think it was the trip with Bob Smith, in 1986—here is his name on the wall, finally came home, remains.

Now he was 4, 5, 6 years before your son's, and we are talking about the airplane that Sam Gibbons jumped out of with the 101st Airborne over Normandy. This is the Goonybird back to the late thirties, for Pete's sake, and we were giving it tough missions over territory 9 days after the 27th of January when Harley Hall was shot down, the commander of the Thunderbirds, and we buried—they magically found two of his teeth at a scoured crash site.

We are being manipulated.

Let me ask—

Mrs. MATEJOV. I feel, because Sergeant Schofield saw their remains in the cockpit still strapped to their seats, that plane did not go in a spin and crash in the ground, because you would not see remains still strapped in the seat. They would be splattered all over.

Mr. DORNAN. I have the testimony right here and all the after action reports, all the transmissions. It is a tough case. Let me tell you, because I have been telling all of our witnesses that I am a very open person, I don't set traps, I don't sandbag people. I didn't do it when I was a television host. I am open to a fault, sometimes undermine my own case by not setting up Perry Mason traps; but I want them to know, all of our witnesses over the years, when the Korean mess begins to open up, that if we come to different conclusions based on the facts and the family members are totally involved, that is one thing, but I don't want hidden agendas to hide the past to advance a political agenda for one of the world's four remaining major Communist countries, all terrorist states like Iran and Iraq and even friendly nations like Pakistan doing things that we think are going to cause a whole city to disappear 20 or 30 years from now from some terrorist act.

But here is a picture that I wanted to show Senator Smith—he may have seen it—to let them know that when I say Jim—General Vessey is a good man, but he is laughed at behind his back as a fool by the General Giaps of the world; and they feel they have used President Bush to their advantage, used our people who have gone over there.

I want to show you who their real hero is. He is a war criminal, and he has kept people in solitary confinement for 30 years until they either died or were released to tell amazingly heroic stories like Armando Valladares.

Here is their hero: Fidel Castro, wearing a Vietcong scarf and hat looking at some spider hole trap—wearing a Vietcong hat and scarf, Cuban President; he is not a President worthy of that title. He has never had an election. He scoffs at those who do. He says he tries to find a trapdoor yesterday at a former guerrilla base—he would say guerrero—based near Ho Chi Minh City, Saigon.

He is in Vietnam to observe the revived economy. This guy gets sung over at churches in Harlem. He is a war criminal. He is a thug. He is guilty of first-degree murder of a young man at a movie theater parking lot who beat him for the student union presidency, a story told to me by the now deceased Ambassador to Cuba during that period, when we still had relations. Here are these people behind him, all wearing their medals and uniforms and everything.

How can we tell the families, get on with your life? We are going to be looking for oil together out in the Spratlies, and a war criminal named Robert Strange McNamara is posing in front of that massive 5-foot bust of Ho Chi Minh being used by these Communists whose friends are in Pyongyang, in Havana, and in Beijing; and yet they have got this embassy here, and they manipulate U.S. Senators who are personally trying to heal the wounds of war selfishly for themselves and undermining everything that Senator Smith tried to do, and he wouldn't tell me he was 100 percent correct on everything.

I would like, before we go any further, for you to tell me, man to man, Senator to Congressman, why you felt you were undercut as the vice chairman of your select committee over there, trying to seek the truth? What went on over there that you felt so utterly frustrated? I mentioned here a couple of times in the hearings, for example, going underneath Ho Chi Minh, war criminal, 23 aliases—

Senator SMITH. Mr. Chairman, I can replay some of that. I am not sure how productive that is.

Mr. DORNAN. Well, just succinctly, why is it you didn't feel satisfied when your mandate ended over there in the Senate for the select committee.

Senator SMITH. Well, when I had one of the analysts who is the chief analyst in Vietnam, Mr. Destatte, tell me that the underground facilities were impossible under Hanoi because he had ridden his bicycle around the area and if you were under there you would have to swim, when I had been under there, under the tomb—

Mr. DORNAN. With Senator Kerry?

Senator SMITH. With Senator Kerry—I was not allowed at that time to say it, but I had been. I was there. I was down under—and he was basically trying to make a fool out of me.

I think also when I had analysts who presented reverse imagery to me in public before a committee—when you take a witness, for example, and you—and we used Bobby Garwood as an example—when you debunk a witness and you say because this witness walks down this street to the left and finds a house on the left and

there he interviewed somebody and you find out that the testimony of the debunking is that it can't be—he is a liar because the house is on the right and you have to go to the right, not the left, when in fact the imagery is reversed, now, my question was—

Mr. DORNAN. He had this up on a big screen in that hearing room?

Senator SMITH. They were showing me reverse imagery and debunking witnesses. The image was reversed. They admitted it.

Mr. DORNAN. You mean they called you out of the room and tipped you off that that image was reversed?

Senator SMITH. I became aware of it, and I realized it, and after comparing the language—and I am telling you that there were dozens and dozens and dozens of eye witnesses who have been debunked on—and the question is, are they being debunked on reverse imagery? I was. So I don't know whether anybody else was.

Mr. DORNAN. Now you asked for a Justice Department investigation on that?

Senator SMITH. I did, and it was rejected, without even interviewing one witness. Garnett Bell is here today, Bill Bell. He was a witness, was willing to be a witness. He was never even asked to come. So the Justice Department—it was a joke.

But, look. I mean, yes, I was frustrated, Mr. Chairman, because all I have ever wanted to do is do the truth, and my concluding point to you here today is that I don't know the truth. I don't know what happened to Joseph Matejov. I don't know, and I am sure—and maybe—but I do believe that the Vietnamese know, and I don't believe we ought to be trading oil until they tell us. And they know. That's the point. If they don't know, then you don't hold them to a higher standard. They do know. Of course they know what happened to them.

Mr. DORNAN. Of course.

Senator SMITH. And that's not the only case. There are other cases, dozens of them, that they know, and the policy people who will testify here for you today know that they know, as do the intelligence analysts. So why are we doing it?

Mr. DORNAN. Because of your background on this and because your father was a Navy officer pilot who was lost in a crash on the Chesapeake, if I recall correctly, and your father's body was recovered, but other men of the crew weren't—

Senator SMITH. That's correct.

Mr. DORNAN. What they call the flushing action of the Chesapeake took them out to the Atlantic.

As a young man, you always remembered your peace of mind at having your father's remains at the funeral, and you identified with the families who didn't have such. Now, I remember that and how quickly, in 1985, your interest was piqued, and I am trying to compare, because sometimes we live in two totally different worlds.

You might as well, being the Knesset and we are the Duma in Moscow, the way we operate differently and then come together with critical issues at conference time and try to resolve these two different cultures.

But I have never discussed this with you. Did you pick up an instant interest when Scott O'Grady went down, missile hit, wing man, Bob Wright, who had lost a child to AIDS, whose wife was

8 months pregnant, and who was shot down to three Golibs the year before? If he had been hit, what a story that would have been, rather than his wing man who missed the Golib.

And they were back together, coincidentally, 14 months later; and for awhile, because I went to Aviano, whose commanders thought, did the Bosnian Serbs know that it was the team of Wright, like the Wright brothers, W, Wright and O'Grady?

But when O'Grady went down, did you not get the feeling that the Pentagon was writing him off as lost right away?

Senator SMITH. We did—they certainly didn't tell us anything. We had a confidential classified briefing on it, and either they knew and weren't telling us or didn't know.

They certainly didn't tell us one way or the other what his status was, and I can understand that. I don't think—if you do know where he is, I don't think you ought to be telling too many people.

Mr. DORNAN. That's right. There were some mistakes made.

Mr. SMITH. I don't have any fault with that.

Mr. DORNAN. Let me tell you what I said to O'Grady in my office a few weeks later. I said, "I've got an apology to make to you. I am supposed to be the optimist around here. I wrote you off as dead. I almost said it to Shalikashvili sitting in that chair next to you," I said, "and now we have lost an F-6," and I stopped in midsentence, "and the pilot we hope is hiding in the bush at this moment as we speak." And he was. He was rescued 2 days later. But I said, "I wrote you off as dead."

He said, "That's all right, Congressman. So did the Pentagon. So did my mother, my father, my brother, my sister." And we relived it again with the French pilots.

Were you able to get a briefing on Chiffot and Souvignnet?

Senator SMITH. No; I did not get one, but I didn't request one either. So I—

Mr. DORNAN. I asked for a briefing last week in the Pentagon, and a man I highly respect, an intelligence officer, said, "Congressman, it's our feeling here that they probably were executed around September 10," and that moved in the press.

Now that would have enabled the Bosnian Serbs, if they wanted to play that out, and here they are at a motel on the border with greater Serbia, Belgrade, Serbia, they could have said, well, we can keep this quiet for awhile, and then if there's no purpose to be served, as a distinguished Member of this House said in Hanoi in August 1978—and I wanted Secretary Lord to know this, that his exact words told to me by the Air Force officer were, "You wouldn't embarrass yourselves. You, the Communist Vietnamese, who won a war without ever winning a ground battle and with never having air or naval command of one inch of air or sea space, you wouldn't want to embarrass yourselves by coming up with live prisoners at this late date and embarrass us, too."

That is what I described before that trip left without me, against my desire, as an invitation to execution. So if this thing had played out and the Bosnian Serbs had no use for our allied fellow fighter pilots, then at some point they would say, "Hey, it is embarrassing now. We might as well execute them and hide their graves somewhere."

So this thing goes on, and I don't know what—what do you plan to do in the Senate now?

And are you geared up, Senator Bob Smith, for the Korean explosion of remains and horrible stories about the 389 and whatever happened to them?

And remember, Lieutenant Chu came to my office, a lieutenant from South Korea, survived 43 years and almost died swimming the Yalu.

Senator SMITH. Can you imagine if he had been an American? He would have been on Time Magazine, wouldn't he?

Mr. DORNAN. Well, see, that is one of the things that is so frustrating. If you are missing in action in a week when 100 people go missing in action and 200 people are killed in action, you are a cipher. Stalin is right, a million Japanese—

Senator SMITH. Mr. Chairman, there are other witnesses. Let me just conclude. You know, I guess my point is, if you are going to—if you are going to go ahead and normalize in spite of all of this information that they have, then, fine, that's honest. Just say so, and tell the families that, and go ahead, and maybe you will get lucky, and maybe you will get it 20 years from now or tomorrow. I don't know, but that is all I am saying. Don't say they are being fully cooperative when they are not.

And also, we must understand, and there is some validity to it but not enough to keep me off the issue, you have to realize, and I think all of the policy people of all of the administrations, I am not just talking about this one, should have been more honest to the families, especially in Korea in the early days, by saying there are other issues that are of a higher priority than finding out what happened to these men, because it's true. It's absolutely true.

We didn't do anything to try to resolve the Korean thing for 40 years, nothing. I mean, surely somebody other than Bob Smith could have gone there to Pyongyang at some point from some administration, from Eisenhower to Bush, but nobody did. And why? Because we didn't want to talk to them bilaterally.

Mr. DORNAN. That is right. It was U.N. command.

Senator SMITH. Right. So the map took priority over finding out what happened to our men.

Mr. DORNAN. Yes. It still persists.

Senator SMITH. And in this case, having diplomatic relations with Vietnam has taken priority over resolving these issues.

Mr. DORNAN. I believe it has, and it should come to a screeching halt.

Two final questions for you, Senator. This first one is a tough one because it involves persons and names. Is it ethical, in your opinion—I will give you mine first. I don't think it is ethical at all—for Frances Zwenig, who stacked this committee hearing process against you, to drive toward a preconceived goal of doing everything possible to normalize relations with the Communists who won one of the world's most peculiar victories without ever winning anything on the ground, air, or sea—is it ethical for her, after a short stint under Madeleine Albright at the United Nations, to go into a job on a Vietnamese trade council?

Do you think that is ethical? I don't.

Senator SMITH. Well, when I write my memoirs, Frances Zwenig will not be talked about in a favorable light. But beyond that, I think you ought to ask Senator Kerry that question rather than me.

Mr. DORNAN. All right. You have worked with Dick Childress over the years?

Senator SMITH. Yes.

Mr. DORNAN. Dick is not a conspiratorial person.

Senator SMITH. No.

Mr. DORNAN. Here is what he said, and I would like your opinion on this because I am going to use it as kind of my outline for the next panel. He said, "Think of this in threes: Unilateral U.S. resolution, radar image, Navy airplane, way out at Yankee Station, disappears off the radar." Very few of those left.

Or an honorable retired serviceman—I think we have already taken care of these—saying that, "CPL John Doe died in my arms with his guts torn apart and should have gotten the Medal of Honor. He was the last man on that machine gun surrounded by bodies, but he died in my arms." I think we have resolved those. That is United States unilateral in the middle, joint activity; and that will continue, but over here, unilateral knowledgeability, Vietnamese, Communist Hanoi Government, resolution is the third side, and that is what these hearings are about, the cases they can unilaterally resolve.

So here is my final question, if you kind of accept that triple way of looking at this one.

On this one that has bedeviled you as the vice chairman of this committee, virtually doing it alone with your staff, I think a fair resolution of the truth, with acting like your kid brother was one of these cases, do you think, after all of your investigative work and seven trips to Asia, five to Hanoi, because I have only had two there in addition to my eight during the war—do you think that their records are—and I want Secretary Lord and Jim Wold to hear my characterization, Gestapo perfect? Fifty years ago today, on December 14, we hung 11 war criminals way ahead of the big war criminals from Nuremberg. That didn't take place until October 1946.

December 11, 1945, we hung the beast of Belsen, the camp commandant of Auschwitz, on the very gallows he used, 11 German camp people were hung, and they were hung because they kept perfect SS records.

Do you believe that the Vietnamese, through the whole war, including this law division, have kept near perfect records of our shot down airmen?

Senator SMITH. What we know is, from the intelligence sources that we have had from within Vietnam, the mortician, and others, is that the Vietnamese kept very, very detailed records of everything from—if you look at the photographs that have been returned from Vietnam, when they found—even if a soldier was killed on—let's say he was killed on the battlefield or he was killed in an airplane. Once the body was recovered, it was displayed out on the ground, photographed. The personal effects were taken away. Everything was cataloged.

The remains were taken back to Hanoi, except in some of the extreme cases in the south where they were—where they were buried and then later they went back to get them.

But for the most part, during the war and after the war, the answer is “yes”, because they believed that those records and those remains and, indeed, those POW’s were going to be very, very valuable.

Mr. DORNAN. Just a word about the French experience?

Senator SMITH. Yes. Because of the French experience, we know—they knew that there would be a—a great amount of value. And, you know, we had a lot of interceptions of their radio communications, and we know that the Vietnamese know what happened to some of these people.

You used Hrdlicka, for example. Everybody knows—somebody knows what happened to David Hrdlicka in Laos.

So the answer is yes, they kept very detailed records. Whether or not they are going to keep them now that they have gotten what they wanted in terms of normalization—that’s really what they have sought. This is the win. This is the ultimate for them, is to get the diplomatic recognition. That’s what they want.

But I don’t know whether they will hold on to any records now or not. I mean, why would they? I mean, there’s nothing to gain now, so they may destroy them. I don’t know.

But did they keep them? Yes, they did, very detailed records, even on—

Mr. DORNAN. Well, let me ask you if next year, with my excellent champion of the military here on my left, Mr. Pickett—let me ask you, next year, when we craft the defense authorization bill, and Clinton may veto it, putting 50,000, roughly, troops in the whole area, but 20,000 in the Tuzla area, he may veto the authorization bill giving them a pay raise, 2.5 percent. I will be amazed if he does, but he amazes me daily.

I would hope you and I and the team in the Defense Department would—and they will get good constructive criticism, and Ann Griffiths, who I understand had a good talk with Secretary Lord at the League Christmas party or sometime last week—that we can take what we crafted with some of your input already in the defense authorization bill—it is over 40 pages now—on a POW/MIA structure for the future.

And we still haven’t solved Korea, and Lord knows, it is not perfect. And John McCain didn’t want it at all, but I said I would roll them, and I did, depending on what Clinton does with the veto power, but let’s fine-tune this.

Ann Mills Griffiths, whom I deeply respect, has some problems with some of the aspects of it. It was not easy to craft this with total resistance from McCain telling our leader in the Senate, Bob Dole, don’t do anything. Yet Dole was a cosponsor. All the veterans groups wanted it.

Let’s take it with the Defense Department assistance and input from State and everybody and try and make it as close to perfect as we can in the next bill, because maybe it is the fate of the Republican Party, punished by God for some reason, to only get a shot at leadership in 2-year bursts, 1947–48, 1953–54, which created the Korean nightmare, and if this is going to be ours just this year

and next, I am going to fight to make sure we got a 4-year shot. Maybe next year will be our last shot, because I don't think anybody will take it out if Clinton gets a second term.

But let's try to do it right and work together, all right?

Senator SMITH. That's all I want to do, is be able to work together with this administration or anybody else. But it's difficult in all administrations, frankly, not just this one.

Mr. DORNAN. Right. If this structure had been in place that we crafted in Paris, these two French pilots MIA for 105 days, with no photographs of their capture, on the cover of their Life magazine, Paris Match, they would have lawyers working for them. Or if this process had kicked in for Scott O'Grady, things might have been just a little bit different before he pops up miraculously with a non-state-of-the-art radio. The Frenchmen are held on the Serb border, and Milosevic has to threaten Karadzic and Mladic, "You will turn over those pilots or it's not going to be too good for you."

And why was he doing that? Out of humankindness? No. He is an unindicted war criminal. He didn't want the sanctions put back on him, trade sanctions, normalization, because Belgrade is in a mess.

So we will try and come up with something in next year's authorization bill.

I want to be informal and call you Bob. Senator, you have been a champion for the families beyond anything I ever dreamed I could be for them, and we have got a lot of work ahead of us on Korea; and I am not through looking at the pilots and crews that disappeared all around the periphery of the cold war, and part of that involved Communist China. We lost a lot of U-2 pilots there, and, as far as I know, they were Nationalist Chinese out of Taiwan.

Mr. SMITH. That's one of the things about General Volkogonov, who was so helpful in some of these cold war instances.

Mr. DORNAN. He just died?

Senator SMITH. Yes. We have been able to recover remains and a ring and many things from cold war incidents, and he was beginning to open those archives.

I just hope that the Russian-United States delegation—Russian and United States delegation, which some have tried to shut down, would continue, because they are doing good work. And they are not getting very much help. They are getting very little funding, and it's unfortunate because there should be openings made to China. China has a lot of answers on this issue, and they are not being pressed either.

I mean, when you put other things out there on the priority list, I know that trying to find what happened to somebody back in the Korean war may not be a high national priority, but we send them—we send them there, and we ought to be willing to go the extra mile to find out what happened to them when they don't come back.

Mr. DORNAN. Senator—did you already ask any questions you wanted, Mr. Pickett?

Mr. PICKETT. Mr. Chairman, I didn't, but I just want to thank the Senator. I see his assistant over there anxiously looking over. The Senator obviously has got another commitment some place. I

do want to thank you. I know that you have been a real champion in this area. We applaud and appreciate what you have done and look forward to working with you.

I do have some matters that I would like to have the opportunity to talk with you about personally at a future time. I won't take your time this morning.

Senator SMITH. Thank you.

Mr. DORNAN. Then as we get the so-called scrub of what the DPMO thinks are the really hard key cases and mix it in with the 24 we will briefly discuss today, a couple not so briefly, we will send it over to you and work with your staff and see if we can come up with a real presentation. Since this latest trip I hope Ann Griffiths goes on is delayed, I I hope that they can allow us, as the U.S. Congress, to—as Secretary Lord said once, and I accepted the correction, there's no good cop/bad cop here, everybody is a good cop, but one cop can say, giving them a cup of coffee, "Geez, these other detectives, they have got power; they are in Congress; they want answers on this and you better give them to me or my hands are tied."

We may get a lot more out of the Vietnamese yet. I don't want them to play us like a grand piano, the way they have the French, who are far more willing to pay money under the table. Well, we won't pay money under the table, and the French will, and they have just squeezed them and milked them since 1954 in a disgraceful way.

And various French Governments, left, right, in between, have kowtowed to this; and it has set a pattern so that they thought we were going to give them money under the table, starting with Nixon's promised \$3¼ billion. Now they have got an interest figure in their head, and they have given up on that, but they still wonder what they can squeeze out of us for a tooth here and some documents out of the central committee records or the Politburo or this law division.

SENATOR I thank you. We will work together on next year's authorization bill, on the whole bill.

Mary, I guess you are going to stay and just listen in the room?

Mrs. MATEJOV. Yes; I certainly will.

Mr. DORNAN. I have got Joe as one of the cases here. We will come back to that.

Mrs. MATEJOV. Thank you for all you have done.

Mr. DORNAN. Thank you very much.

If the second panel will come forward. The second panel—and we are now approaching the noon time period—is Winston Lord, Assistant Secretary of State, East Asian and Pacific Affairs from our State Department; Hershel W. Gober—am I saying that right?

Mr. GOBER. That's correct.

Mr. DORNAN. Deputy Secretary of Veterans Affairs, at the Department of Veterans' Affairs.

And coming back for the third time already this year, General James W. Wold, Deputy Assistant Secretary of Defense for Prisoner of War/Missing in Action Affairs.

Gentlemen, if you would please all rise. This is a pattern that was established way back by Congressman Steve Solarz, and it makes the families feel good. You are all men of honor. I know it

is more pro forma than anything else, but we thank you for bearing with me.

[Witnesses sworn.]

Mr. DORNAN. If you have statements, I will go to Mr. Gober first. I don't even know the protocol here.

Mr. GOBER. That's correct.

Mr. DORNAN. That is correct. Thank you, Mr. Gober. We will go to you first. You are No. 2, at Veterans' Affairs; is that correct?

Mr. GOBER. Yes.

Mr. DORNAN. I have known your Secretary of Veterans' Affairs for many years, a man of great concern for veterans, as I know you are also. Your reputation precedes you.

Do you have a written statement you want to submit? Or please feel free to read it.

STATEMENT OF HERSEL W. GOBER, DEPUTY SECRETARY OF VETERANS' AFFAIRS, DEPARTMENT OF VETERANS' AFFAIRS; WINSTON LORD, ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE

Mr. GOBER. Mr. Chairman, I would like to read this since this is my first appearance before the committee. If it gets too long, just cut me off, and I promise you I will try not to let my Arkansas drawl let me down too much.

Mr. DORNAN. That's all right, Mr. Gober.

Mr. GOBER. Mr. Chairman, distinguished members of the committee, fellow veterans and family members who are present today, thank you for this opportunity to testify concerning a matter of importance to all—those Americans still unaccounted for in Southeast Asia.

It is my firm belief that all of us share a profound commitment to achieving the fullest possible accounting. We should not allow differences over process or the timing of particular steps to obscure our common commitment or impede our ability to consult and cooperate closely in achieving our goal. Partisan politics has no place in this humanitarian endeavor.

In July 1993, the President appointed me to serve as his personal representative to address this issue and to lead a Presidential delegation to Vietnam. I assure you that this issue is one of deep personal interest to the President. He has a record of concern that I am personally familiar with from his days as Governor.

From the beginning of the administration, the guiding principal of our policy has been, "Any steps toward normalization will depend directly on further progress toward the fullest possible accounting for our POW/MIA's." The accepted definition of "accounting" is the return of the missing Americans, return of their remains or convincing evidence as why neither is possible.

The President outlined four areas in which he stressed that no progress toward normalization would occur until the Vietnamese had taken steps that yielded tangible progress toward achieving the fullest possible accounting. Those areas are: One, concrete results from efforts to recover and repatriate remains; two, continued efforts to resolve discrepancy cases, live sightings, and field activities; three, further assistance in implementing trilateral investiga-

tions; four, accelerated efforts to provide all POW/MIA-related documents that will help lead to genuine answers.

In order to help achieve this progress, President Clinton in 1993 decided to send a high-level Presidential delegation to Vietnam. Subsequently he has expanded the delegation's role to include Cambodia and Laos. The delegation is comprised both of senior administration officials and distinguished representatives from prominent veterans service organizations and the families. I was honored that the President asked me to head his delegation, which also includes Ambassador Lord, Deputy Assistant Secretary Wold, representatives from AMVETS, The American Legion, Disabled American Veterans, Vietnam Veterans of America, and the Veterans of Foreign Wars. Unfortunately, on our 1995 trip, scheduling considerations prevented a member from the National League of Families of American Prisoners and Missing in Southeast Asia from participating in the delegation.

Service organization representatives have assisted in the planning of delegation missions, provided input into government talking points, and have expressed the views of their organizations in meetings with senior government representatives of the host countries. These representatives attended all plenary sessions devoted to POW/MIA issues on those missions that they have participated on. At each decision point the President consulted with these organization leaders and solicited their recommendations. They continue to be valuable members of our effort, and though there are disagreements, their participation has not been restricted.

The initial Presidential delegation traveled to Vietnam in July 1993 and delivered a strong, unified message to senior officials in Vietnam: The Clinton administration and the American people are determined to achieve the fullest possible accounting for our missing in action. During this delegation we pressed hard for accelerated remains repatriation, increased cooperation in resolving discrepancy cases, assistance in establishing procedures with the Lao for trilateral operations, and significant document turnovers. We emphasized the point that normalization of relations could only take place in the context of tangible progress in the four priority areas.

I believe that this unified message from the Presidential delegation played an important role in facilitating the progress which was achieved in between this mission and the President's February 1994 decision to lift the embargo on Vietnam. The Administration has testified elsewhere about the progress which was achieved that made this decision possible.

Determined to build upon the progress achieved up to this point, and wanting once again to reaffirm the personal importance which he continued to attach to achieving further tangible progress on POW/MIA issues, the President asked me again to head a second delegation in June-July 1994. Once again, the delegation was comprised of administration officials and representatives from the veterans service organizations as well as a representative from the National League of Families. This delegation placed particular emphasis upon the need for additional unilateral actions by Vietnam in order to achieve the fullest possible accounting and also pushed

hard on the need for trilateral investigations involving Vietnam, Laos, and the United States.

I believe that this second delegation had several major accomplishments. First, agreement was reached with Vietnam to establish Interior and Defense Ministry teams to unilaterally search for documents and undertake other activities. This was an important step in broadening Vietnamese cooperation beyond the Ministry of Foreign Affairs. Second, 6 months after the delegation returned, Vietnam, Laos, and the United States agreed on procedures to permit participation by Vietnamese witnesses in joint task force investigations in Laos. Since this agreement was signed, seven Vietnamese witnesses have participated in three different joint excavations in Laos.

Despite the considerable progress achieved by these two delegations, there remained areas in which we believed additional progress was needed. In particular, we had continued to stress to Vietnam the need to provide additional documents that could help to shed light on unresolved cases, including the type of documents that the National League of Families had included its list which it provided to Vietnam in March 1994. We had also been seeking a comprehensive report from Vietnam on the 84 Special Remains cases involving 97 individuals which we had presented to Vietnam in August 1993.

To achieve progress on these and other issues, the third Presidential delegation traveled to Vietnam and Laos in May 1995.

This delegation differed from its two predecessors by virtue of its government-only composition and was, in my judgment, one of the most productive of the three Presidential delegations to date. Specifically, the delegation was provided with a number of valuable documents by Vietnam, including a 118-page comprehensive report regarding 79 of the 84 Special Remains cases. The delegation, after pressing hard for a formal Vietnamese response to the documents list presented by the National League of Families in March 1994, was advised that such a response would be provided shortly. In fact, in a June 1995 letter to the National League of Families, Vice Foreign Minister Le Mai detailed 115 reports, sketch maps, and list that the Vietnamese have given to the United States Government since March 1994. Some of these documents are those specifically requested by the National League of Families. Finally, the delegation received a letter from Prime Minister Vo Van Kiet to President Clinton assuring him that the Vietnamese cooperation on POW/MIA issues would continue.

As you know, shortly after this delegation, President Clinton decided, based upon the tangible progress that had been achieved since the beginning of his administration, to normalize relations with Vietnam. He did so based upon tangible results that had been achieved since the lifting of the embargo. Let me briefly update the subcommittee of the accomplishments to date.

Recovery and Repatriation of Remains: There were 2,265 Americans unaccounted for in Southeast Asia when President Clinton took office; 1,659 of these in Vietnam. Currently there are 2,162 unaccounted for Americans in Southeast Asia; of these, 1,613 of these in Vietnam. .

During this administration, 178 remains have been repatriated from Vietnam to the United States; 46 remains have been identified, of which 35 were recovered during this administration.

Mr. DORNAN. Mr. Secretary, could I interrupt you at this point to get something clear, because these numbers always seem to come on the high end from the administration but on the low end when you really filter through everything.

Is this true, that since 1994, less than 10 cases from North Vietnam have been resolved, when in Hawaii they take out the animal remains, all the Asian remains, that always seem to be in the initial stories and still recorded months later about all these remains we got back?

We have access to documents now, before the war was over, saying, between Russians and North Vietnamese Communists, "Why don't you send them some animal bones? That will tear them up pretty good," in less colloquial language, and then they did it.

So is that a fact, that less than 10 cases—and some of those are group cases from Laos, based on little or no identifiable remains? And I would like to focus on that bottom line.

Mr. GOBER. Mr. Chairman, if I could, I would like to refer this to Mr. Wold, who runs that office.

Mr. DORNAN. All right.

General, what is the bottom line of resolved, identified or even unidentified, with burials like Mathis and others? Is it 10 cases?

My staff has prepared a graph, and you can't put graphs into the written record or even in the Congressional Record, but it appears to me that normalizing of trade relations cannot be borne out in simple math, that they were more forthcoming, we even have a lot of statements that they were, and normalization, running up in Washington, DC, the Red Communist flag with the yellow star on it—which I tore seven of them to pieces in this city—outnumbered about 200,000 to 1, because I made that promise to men in hospitals in Vietnam that I would never see enemy flags flown in America, as they had all seen at the Chicago convention in 1968 and talked about to me, including a man with his head shaved, steel stitches in his head, part of his jaw gone, and only one arm, like Max Gleeland, one arm left, both legs gone.

And he said to me and to Gary Crosby, deceased last August, and he thought I was Gary—he got our names mixed up, "Gary, make me a promise. If you see an enemy flag flying, tear it down, will you?" That was an 11th Armored Cavalry Regime soldier enlisted, and I kept that promise. Seven flags were in a cellar drawer, most of them ripped to shreds.

So when I see that North Vietnamese Communist flag over their Embassy there and I am told they are forthcoming, I want to see the arithmetic that these Communists are forthcoming, and my graph tells me that we have got less out of them once we started a trade agreement and even less after we normalized, and they continue to give less. So I want to see some forthcoming evidence.

General what is the figure of absolute resolved cases since we normalized trade? What was that, February 2, 1994? February 2, 1994.

Mr. WOLD. Mr. Chairman, I don't have the figures going back to February 1994—well, yes I do. Let me summarize the way I have the format in front of me.

Mr. DORNAN. Sure. I am sorry, Mr. Secretary, but I just wanted that in the record.

Mr. GOBER. That's fine. I would like to follow up when he finishes.

Mr. DORNAN. And it gives you something to tell them in Hanoi, that the Congress, Senate and House, are demanding figures on resolved cases.

Go ahead, General.

Mr. WOLD. The total number of remains that have been identified in 1993, 1994, and to date, is 46.

Mr. DORNAN. Right.

Mr. WOLD. I think where a difference in the numbers comes in, there are those who will advocate that we should tie the year of identification to the year of repatriation. I think that's somewhat disingenuous because I think what we have to keep in mind is that the identification process is very slow and complex.

We do have a bottleneck, as I indicated 2 weeks ago, at CILHI. In some cases it takes up to 2 years to identify remains.

In the past, we tied identification to the year in which the identification came in. And granted, some of the identifications in those early years, when the cases were easier and when we had full sets of remains, did fall fairly rapidly after the date of repatriation. But the number that you have just asked for, the number of identifications during the Clinton administration, is 46.

Mr. DORNAN. Jim, I think I misunderstood you.

First of all, let me tell you what I think is fair. Let's say that President Bush was putting on one type of pressure, a, and we get back 20 remains. Then we send back respectfully as Asian remains, not United States Asian heritage, and the other 20—and I know how hard they work at CILHI—takes a year to identify. We now have a new President, and they are not identified until after trade sanctions are lifted. And I am confused at your answer, but I will tell you what I think should be done. Those should be counted as the repatriation because they came under, let's say, a Bush period with a.

Now we go to the carrot period—I am willing to try anything even though I disagree. You can't count those 20 identified remains under the carrot period because we got them during the other presidency.

Now, what did you say about that, that you—did I hear you say you think it should be accounted under the period they are finally identified, or before?

Mr. WOLD. I said I believe they should be accounted during the year they are identified.

Mr. DORNAN. I disagree with you.

Mr. WOLD. And the reason was that the length of time it's now taking CILHI to identify these remains, keeping in mind that many of the remains today—probably most of them that are out there—are fragmented.

Mr. DORNAN. But here is why I disagree with you, General. Now Mr. Clinton has been in office 3 years. If it took 1½ years to iden-

tify a set of remains, I would want them attributed to the carrot period of the trade sanctions lifted rather than normalization, because that would show a fair pattern on the part of the Communists in Hanoi, that they responded with more remains when the trade sanctions came off and then said, "We are on a course now; we are going to get normalized; we don't have to bother with this much anymore." And therefore it wouldn't even be properly attributed to a Clinton period if we waited—it would be misleading to the families and to the politicians and people who work these issues, to say, "Boy, we just identified 10 remains. Let's attribute that to the period since normalization with the Embassy and let's move ahead now to most-favored-nation status."

Jim, I respectfully disagree.

Mr. GOBER. Mr. Chairman, the figures that I have show that there have been—178 remains have been repatriated from Vietnam during this administration; 46 remains have been identified, of which 35 were recovered during this administration. Those are the figures that I have.

Mr. DORNAN. And mostly Laos, right?

Mr. GOBER. Laos, Vietnam.

Mr. DORNAN. So 35 is close enough to 46. That is fine with me.

Mr. GOBER. That's just Vietnam.

Mr. DORNAN. Yes, well—but not North Vietnam. There could be—does that include South Vietnam also?

Mr. WOLD. It would include all of Vietnam.

Mr. GOBER. All of Vietnam.

Mr. DORNAN. All of Vietnam and the area of Laos controlled totally by Vietnam during the war?

Mr. GOBER. No, just in the territory borders of Vietnam, as we understand it.

Mr. WOLD. That's correct.

Mr. DORNAN. But general, we will talk about this off the record.

Mr. GOBER. I think it's important that you get these—we have the same figures to talk by.

Mr. DORNAN. Yes, I agree.

Mr. GOBER. It can be very confusing about that.

Mr. Chairman, if I may, I would like to skip through some of my testimony, but I would like to have it all inserted into the record, if I may.

Mr. DORNAN. Please, Mr. Secretary. It will all be inserted into the record.

[The prepared statement of Mr. Gober follows:]

STATEMENT OF
HERSHEL W. GOBER
DEPUTY SECRETARY OF VETERANS AFFAIRS
BEFORE THE
SUBCOMMITTEE ON MILITARY PERSONNEL
OF THE
COMMITTEE ON NATIONAL SECURITY
UNITED STATES HOUSE OF REPRESENTATIVES
DECEMBER 14, 1995

NOTE: This is the portion of Secretary Gober's statement presented for the record.

Recovery and Repatriation of Remains

There were 2265 Americans unaccounted for in Southeast Asia when President Clinton took office; 1659 in Vietnam. Currently there are 2162 unaccounted for Americans in Southeast Asia; 1613 in Vietnam.

During this Administration 178 remains have been repatriated from Vietnam to the U.S.; 46 remains have been identified of which 35 were recovered during this administration.

For 1993 - 82 remains repatriated (43 joint/38 unilateral); 10 remains (repatriated in 1993 or prior years) identified.

For 1994 - 61 remains repatriated. (40 joint/21 unilateral) 26 remains (repatriated in 1994 or prior years) identified.

For 1995 - 35 remains repatriated. (26 joint/9 unilateral); 10 remains (repatriated in 1995 or prior years) identified.

Conducted 19 joint field activities with the Vietnamese

U.S. Government received 118 page comprehensive report covering 79 of 84 "special remains" cases --cases in which the Vietnamese government should have information because of photographs, grave registrations and other items.

Discrepancy cases

Of the 196 individuals associated with "last known alive" cases--cases in which individuals survived but did not return alive and remain unaccounted for in Vietnam, fate has been determined for all but 55. Determination of fate for an individual on this list last occurred in June 1994.

Fate has been determined for 80 of 135 discrepancy cases that were still on the discrepancy case list when President Clinton took office.

DOD has resolved cases for/identified remains for 27 individuals. Three of these identifications occurred during this Administration.

Investigations with Laos

An agreement was reached in December 1994, establishing the mechanism for trilateral operations.

Vietnamese witnesses have participated in 3 of 4 subsequent operations in Laos. U.S. Their participation has not directly resulted in the resolution of any case to date.

Missions have uncovered witnesses, yielded new information and prompted future excavations.

Vietnamese have identified 21 witnesses with first hand knowledge for cases in Laos.

Release of Documents

Vietnamese initiatives have led to unilateral turnover of documents containing maps and records of army units, by the Ministries of Interior and National Defense.

So far in 1995 there have been 10 separate turnovers totaling 295 documents that consist of a total of 563 untranslated pages.

Joint U.S. - Vietnamese research teams have reviewed and photographed 27,000 archival items since January 1993. They have recently emphasized unilateral Vietnamese research.

Approximately 136 oral history interviews of Vietnamese veterans and government officials conducted in Vietnam. This is in addition to the several hundred interviews conducted as part of Joint Field Activities during the same period.

In response to the July 1994, Presidential delegation initiative, the Ministries of Defense and Interior created unilateral search teams.

In announcing the decision to normalize, the President made it clear that he was doing so in the expectation that it would lead to additional progress, and additional answers, on POW-MIA issues. To reinforce this message, the President asked me to lead a fourth Presidential Delegation to Vietnam, Laos and Cambodia. Our tentative dates are January 14 - 21, 1996. This delegation will continue to press for progress in all four of the priority areas.

This Presidential delegation has four principal objectives;

1. Reinforce the significance of the POW/MIA fullest possible accounting in the enhancement of relations between Vietnam and the United States.
2. Demonstrate continued support for the Joint Task Force - Full Accounting.
3. Emphasize the need for greater unilateral efforts by the Vietnamese.
4. Presentation of the Comprehensive Review and our expectations to the host governments.

As with previous delegations, our approach will be to meet with senior representatives of the host countries in order to relay to them the Presidents personal commitment to achieving the fullest possible accounting. Our purpose is to have candid and confidential discussions. U.S. government officials will meet with their counterparts to discuss the Comprehensive Review and our expectations. My colleagues will discuss Laos and Cambodia in their testimony. Upon our return, I would be pleased to provide you a briefing concerning the delegation.

I understand that the Subcommittee has recently been briefed about the Comprehensive review by Deputy Assistant Secretary Wold and his staff, who are here today to answer any additional questions you might have about this review. It is important to recognize that this Comprehensive Review is a fluid snap shot of the status of cases at a given time.

Ongoing efforts to bring cases to closure by the Department of Defense has moved many beyond the stated "next steps".

It is important to note that the "Veteran to Veteran Initiative" of the Vietnam Veterans of America has proven to be a valuable asset in our mutual efforts to achieve the fullest possible accounting. This veterans program helps identify possible Vietnamese missing through various means, such as reclaiming personal effects taken during the war. American Vietnam veterans are encouraged to turn over any information they may possess concerning Vietnamese war dead. I believe that this goodwill gesture has encouraged the Vietnamese to be more forthcoming with information concerning missing Americans. VVA is to be commended for this program.

Cooperation between the governments of Vietnam, Cambodia, Laos and the United States has yielded much information. President Clinton has vowed to exhaust every possible avenue of investigation, and will hold Vietnam to its pledge to help find the answers we seek. Our guiding principle as previously stated has not changed and we will continue to pursue it with the utmost vigor and perseverance. We have found new answers and achieved tangible results.

At this point, I yield to my colleague for his testimony.

Mr. GOBER. Let me say this too, and the—you know, I must tell you and you know from my bio, I served 2 years in Vietnam, and when I went back in 1993 I hadn't been back since 1969; and I left on a stretcher, and I got to fly back in one of the Presidential aircraft in 1993, so I thought that was pretty good for an Army captain.

Mr. DORNAN. And you are an awardee of the Silver Star?

Mr. GOBER. No, sir, the Bronze Star.

Mr. DORNAN. With V for valor.

Mr. GOBER. And I will fully tell you up front, I'm one of the people that supported the President's policy as it is right now.

As a Vietnam veteran, I became very, very frustrated—for years and years and years we rocked this thing and we let it drag on. I am 58 years old. This war—and I look back, and I can see, if there were mistakes made, it's gone, it's too late to correct those mistakes.

But I had a sincere desire when I worked for the Governor back in Arkansas as his State director of veterans' affairs, we got involved with the POW's. He formed the first Governor's task force in the State to deal with the Americans that were—Arkansans that were missing, to try to help the families as much as possible, and it was a very sincere effort, and it is still going on back there.

But I am a firm believer that the way you make progress is, you don't isolate people, you sit down and you talk to them. You talk to them, and you—I don't like to play on adjectives, "fully cooperate," "partially cooperating." I like to say that I really sincerely believe the way for us to make progress and to get these answers that the families deserve—the families deserve the answers—the best way to do it is sit across the table from these people and say, "OK, here is what we need."

And we do this on every trip. We talk to them about discrepancy cases. We talk to them about, "Here we have got pictures of these. You had them. Where are they?" We do this. We don't just go over there and toast them and sit across the table and be nice guys.

We recognize fully we are dealing with, whether we like it or not, a sovereign government, that is letting us in—that we are in their country looking for our Americans. So we do ask these questions.

And I am one of those people, when I was not here in Washington, DC, who would sit back and do the same thing that many people out in the country are doing today: The Government lied to them; the Government did this; the Government didn't play fair. Well, I can't be responsible for that.

I know that I served two tours in Vietnam. I know that as a company commander of an infantry company, many of my guys are on the wall down there. Fortunately, I don't have any missing. They came home. I brought them home, but they are on the wall.

But it is an issue that has been so divisive for this country and everybody. There are so many different opinions, and all of these opinions are welcome. I know you are very sincere. You and I disagree on the method we are taking, but that doesn't mean we can—we don't have to be disagreeable.

Mr. DORNAN. Sure. We may only disagree on timing.

Mr. GOBER. We might disagree on—

Mr. DORNAN. Application of pressure.

Mr. GOBER. Particularly the carrot.

But the point is, I know you are very sincere on this issue. I know that Senator Smith is very sincere. I disagree with him. I weighed in and advised the President that I thought he was doing the right thing to do just what we are doing. So I am just as sincere about this as anybody in this room.

Mr. DORNAN. Your advice was valuable because of your friendship in Arkansas, but you know what every single columnist in America who bothered to write about this wrote, that without Senator John McCain standing 2 feet ahead of Senator Kerry, at the President's right arm, without McCain's presence, Mary McGrory on the left and Charles Krauthammer on the right, said normalization could not have taken place without McCain, quote, giving cover to Clinton given his Vietnam background.

Mr. GOBER. Well, I don't agree with that. The President would have made the decision, I think, anyway. It certainly helped to have Senator McCain, whose credentials cannot be questioned, and other people, but honorable men and women on both sides of this issue, we all have one common purpose, and that should be to obtain as full accounting as possible for the families. How we do it, we can argue about that.

I can assure you this, that we are still—there are many more ways, and Ambassador Lord will speak later on some of the other things that are still out there. Normalization lets us get on the ground. I am delighted to see as many American Vietnam veterans returning to that country, going to their fire bases, mingling with the people—we are all over the place, and that's the way we gain information, by association there.

Mr. DORNAN. Let me point out to you what hurts the families. In the President's speech 2 weeks ago, he mentioned Northern Ireland, lots of hot spots around the world, lots of American places where lives were lost. You know he deliberately left out Vietnam. It jolted me. I had calls from veterans. It was disgraceful, in my opinion, to leave out Vietnam.

Mr. GOBER. I don't think that's true.

Mr. DORNAN. On that speech 2 weeks ago on Monday night.

Now get this. Have you seen the thick book on the Bosnian accords signed at Dayton? It talks about elections, lots of elections. Have you ever brought up in Hanoi elections? Has Secretary Lord? They are not going to have any elections in Hanoi because there is their hero, a war criminal named Fidel Castro, who tortured his best friend, Huber Matos, who was a professor and pilot who flew supplies into the Sierra Maestra.

Mr. GOBER. Of course 5 years ago we wouldn't—or 10 years ago we wouldn't have talked about elections in Russia either. Your point is well taken.

Mr. DORNAN. You know what I mean.

Mr. GOBER. Your point is well taken.

Mr. DORNAN. Here is a standard I have that Mr. Lord from his State Department experience knows is true. I absolutely think this is irrefutable. If the Vietnamese-American community had a Roberto Martinez, a Lincoln Diaz-Balart, and an Ileana Ros-Lehtinen, three Congressmen on both sides of the aisle in this House and the economic clout and power of south Florida and Los Angeles, and

the Cuban-American community in New York, if they didn't have that—let me say it clearly. If the Vietnamese community, with almost a million—and that is what the Cuban-American community is, a million; they are equal now, except we are still getting more and more citizenships in the Vietnamese community, if the Vietnamese community, had the clout—one of my staffers is married to a Vietnamese lady who is now an American citizen—if they had the clout that the Cuban-American community has, there would never have been normalization, because as long as that man is in Havana, Bill Clinton will not touch the political problem of defying the million people in the Cuban-American community, right off Florida, which he didn't get in the election in 1992 anyway.

So the poor Vietnamese community is waiting for the right circumstances—and it will probably be my seat when I leave here—to have a viable man or woman run as a candidate and become the first Vietnamese-American to serve in the United States Congress. These problems are tough.

And let me tell you something else. When I first came here in 1977—I hope it wasn't through false humility—I used to describe myself as a student of history, which indicates you are learning and you are entry level. After serving here since 1977, I just flat out call myself a historian because I don't have an equal in the House, and the only one that can quote Shakespeare in the Senate is Bob Byrd. So I am a historian.

So let me tell you something. It hurt like a fiery poker in my heart to see Bill Clinton living in Robert Strange McNamara's house on Martha's Vineyard, where he had not been since after he manipulated the Bataan Death March survivor, Carl Eugene Holmes—I just happen to have his letter in front of me because I am putting it in the record again today because of Bosnia—he went to Martha's Vineyard, and I am the one who told Colonel Holmes that:

Do you know where he went after you set up this special program for a graduate student from Oxford to take a few ROTC courses with undergraduates at Oxford so he could get this brand new special program in law school with only 2 years instead of 3, and 1 2-week summer camp to become an officer in the United States Army? Do you know where he went after he left your home for 2 hours?

And the colonel woke me up at the Holiday Inn in Little Rock and said,

He wasn't in my home. I don't think that was clear. My wife Irene asked me to call you and make that clear. He schmoozed me in the backyard and the front yard for 2 hours. And it is all in the letter, this great admiration we feel for each other, but if you knew my activities, I don't think you would have admiration for me. You don't know about my political beliefs and what he was doing.

And you know what he did. He went to London as part of the fall offensive, named by Hanoi, coordinated in Stockholm, Helsinki, Oslo, Paris, London, New York, here in this city, 250,000 people, and I witnessed the demonstrations in Los Angeles.

And with all of that, he goes up to Martha's Vineyard as he had worked it out with Strobe Talbott and Derrick Shear up in Cleveland on the 1st, 2d, and 3d of July 1969, then arrives at the airport in Little Rock on the 4th of July to begin to deconstruct his draft show update. He was inducted—drafted, July 28th, 1969. Then he goes to Martha's Vineyard about David Mixnor, the new Move

Committee, while you are in combat in Vietnam, and then he goes back to Oxford to have the setup demonstration October 15, the warmup and then is the leader of the November 15, major worldwide coordinated fall offensive, and then goes off to that November 2 dinner—January 2 dinner in Moscow that I mentioned, and has never come clean on all of that.

Now, with all of that, when he is in McNamara's house and launches Operation Ranger and Morton Halprin, who shouldn't be at the National Security Council, tells poor Les Aspin, who spent most of his career on this panel and 4 years at this desk, says tanks at Waco; but not 6 months later in the streets of Mogadishu, with no gun ships, that when I went there 10 days later or went up to Campbell and talked with the 160th, best helicopter pilots in the world, and down to Bragg, they said, "We trained with those gunships"—and we talk about gunship MIA's here—we trained with them for 3 years, and they were jerked away from us 2 days before we got there.

And then sitting with General Wold, as I listened to Warren Christopher, before he even said the words, I turned down there to Curt Willam and said, when he asks him about Somalia, "I go; we have learned our lesson." And Warren Christopher, without hearing me, says those exact words, "We learned our lesson."

Well, what lessons did we learn in Grenada, in Panama, and a decade in Vietnam that we have to have 19 dead Rangers, two Medal of Honor winners?

And you may not know this, but Herb and Lois Shugart would not shake Clinton's hand at the White House at the very last ceremony of a posthumous Medal of Honor winner. I visited Gary Gordon's grave in Lincoln, ME, just last month on the 4th of November, and then a week later, because of that, I drove to Carlisle and visited Randy Shugart's grave.

These things are not known to my colleagues in the Senate and the House generally. They haven't read the six books on Clinton. We have got major disagreements, but you honorably pursue your job, and I want to call in a few plays to go to Hanoi, the tough thing, because, believe me, some at a low level may treat you with respect but I know that when Bob McNamara—and I will use an Asian word that Mr. Lord is very familiar with—kowtows to General Giap; and I had my sacred opinion that he is a war criminal, you don't send 12- and 13-year-old boys against a 22- or 23-year-old company commander like you after they survive B-52 arc-like strikes.

And Mr. Lord was with Mr. Kissinger. I have read his book. I know they are friends, and I have good feelings about Henry Kissinger; but this was a mess, the way we ended that thing—bombing in Laos from January 27, 1993, right up to August, bombing the hell out of a nation with a seat in the United Nations called Laos.

And Henry Kissinger told me to my face at one of these Cosmos clubs or somewhere, he said, "People don't want to hear my opinion, but I don't think we should normalize with Vietnam. But I've got a grudge; they lied to me. They made a fool out of me."

Remember the Nobel Prize, Henry gave his money to the MIA families for scholarships, an honorable thing to do. And the Com-

munist side wouldn't even accept it because they weren't through killing, they weren't through fighting, and they had a victory to win.

So I know we approach this differently. I have got a different concept of history, and I don't challenge the honor of the approach of the men who are doing it.

I do have a deep-felt belief that you could never disabuse me of, that Clinton has in his head a psychological problem to resolve what he told the troopers, that he doesn't think you have to have worn the uniform ever to be Commander in Chief. I don't either, given if there is a voluntary military or you are a woman or you are like Roosevelt with 10 pounds of iron on your legs or Charles Krauthammer, who, if he ever ran, would be a great candidate. I have got a problem at the top, nowhere else down below.

I know there are problems to be solved here, and I had a 30-year CIA veteran, Bill Donovan, a Medal of Honor winner from my dad's war, call me this morning and say this man has a psychological problem, Clinton, that he wants to be a commander of a combat operation and that is partly what Bosnia is all about.

Now that is just one man's opinion, but it triggered a little thing in my mind that yes, him on Air Force One with Peter Jennings last night talking about, he can't understand why we don't support the troops in Congress.

You have seen my patch there for the First Division. You see my ribbon for the men over there, blue for faithfulness, black for the four people who have already died, three of them colleagues of Mr. Lord's who rolled over in that French armored vehicle on that rotten muddy road going into Sarajevo.

We are going to have to agree, as you said, to honorably disagree about Mr. Clinton, who I think, with 43 percent, stole the Presidency by stonewalling America on Whitewater. We didn't even know about his Governors' races yet. Never has truthfully answered anything about his triple evasion of the draft and all of the female stories and all of that, that I personally talked to the troopers about.

The network people follow the same profile. Adultery doesn't count. Homosexuality is equal to normal family life, and political corruption came with the territory in Little Rock, so we ignore it all. He is there. He has 403 days to the inauguration, 76 less than to the election.

But you have got a responsibility as an honorable Army officer to go to Vietnam and remember that you are not their hero, Fidel Castro is their hero. The toughest Communists in Beijing are their heroes. A Communist is back in power in Poland.

I have been reading articles that Clinton's hidden agenda was to tell Yeltsin through Strobe Talbott, "Don't worry about Poland coming into the NATO or the Czech Republic or Slovakia, Estonia, Latvia, Lithuania, we are going to hold all of that off. Just give us a thousand troops in the Balkans."

Do you know that Tito kept Russians out of the Balkans for half a century and now Bill Clinton is inviting them in? And who is their commander? Leon Chevstrov who was the genocidal commander of what has taken place in Chechnya.

No, no. I am a little different than most of my colleagues. I love history. I devour it at a voracious rate, and I am tracking all of this. I don't know who is going to end up the next President. It is not going to be me. We are holding our time. But I am bringing out truths in this race. And Bob Dole did not carry most of his party; 29 Republicans voted against him; 29 went for him. One Democrat, Feingold, went with the minority to make it 30 to 67.

It looks good, but I came within four votes last night, Captain, of cutting off everything, four votes, and if Dole had done that, we would have gotten the veto out of the President, not asked for a veto override because we couldn't have done it and then proceeded with what Paul Wolfowitz wanted, Richard Perle wanted, and Jeane Kirkpatrick wanted, a veto, and then stipulating are we going to arm the Bosnians.

And I ask you, Mr. Lord, to go get the Intel intercepts now—I won't go any further than to say this—of which groups are verbally talking about killing Americans. Go get those intercepts. It will surprise you that it is not the worst of the people over there, it is the people that we think are there to help. So we are in a tough position.

I know, to quote Hillary, he has rolled the dice, put his Presidency on the line. Sitting right there where Jim is was Mr. Christopher, an honorable man. Sitting where you are was Mr. Perry. Never met a better man in public service. Sitting where Secretary Lord is was Shalikashvili, a great general. And they all, body language when I said, you are not going to leave in disgrace as you did in Somalia with 19 KIA's and a general officer, General Harrison, commander of the Delta Force, with a mortar dug at his feet that could have blown him into pieces.

We were gone 3 days later. It started, "You are not going to leave," I said to the 3, the 19. I can see in your eyes and I read in your statements about casualties. You have got Desert Storm on the mind; 148, throwing the British and French another 99. You are talking about 247 killed in action, to 300, before you field the proper political pressure to pull the plug and come out of there.

And I said this is going to be one tough year. Chairman Curt Weldon predicted heavy casualties, and almost earlier I predicted few. I am an optimist. I think they are all hunkered down; and if we can control the terrorism indigenous from Afghanistan and Iran and even Saudi Arabia, extremists who blew up a National Guard building and killed five Americans, I think we can get through a period of 10½ months and then, like Haiti, as soon as we leave—and Tom Lantos just said in the hall, we better stop talking about 600 years of hatred, let's talk about 3 years of bloody dead with horrible raping and burning of women to death, chained to fences, let's talk about revenge just with blood that's built up over the last 6 months.

Back to theme. With all of that buzzing in my head, and the treatment of those honorable men, let me at the end of this give you some plays to take to Hanoi, some moves, so that you can properly—and you are honorable men—tell them that we have got a firebrand in the United States Congress named Bob Dornan and an honorable man who has worked with this issue and been over here five times to your country and twice to Korea; and your Communist

brothers in Pyongyang got a lot to account for with this—that we wouldn't respond to any bilateral request, that you should know then, Mr. Secretary, General Wold—Winston Lord knows it well—that the North Koreans have said to us, seductively, talk to us. Do you want to know about those 389? Do you want to take all the remains back from the graveyards? Talk to us. And the majority of the American people do not know that we have said, you go through the United Nations. It doesn't take a Michael New case or these Reader's Digest articles about the unbelievable arrogant corruption at the United Nations, the tax-free salaries, the homosexual network, the stolen vehicles, and hundreds of thousands of dollars laundered through Geneva banks.

And I am not a John Bircher who wants to see the U.N. disappear. I want it reformed. But that is the U.N. that the American people, unfortunately, are coming to detest. We have told Communists in Pyongyang for 42 years, talk to the United Nations, and they give us the finger, or whatever they do in Asia, and say, "You fought the war."

Go look at the Vietnam Memorial. It starts with the names of Scandinavian nations; Netherlands, zero MIA, zero KIA, zero wounded in action. The same for Denmark. The same for the first five countries coming up the Wall. Only until you get to the United States and South Vietnam do you see casualties and missing in action in significant terrifying numbers.

So that is all to come, as I said, and the CILHI knows it is coming, but, boy, I want you, as an honorable son of Arkansas, a State with 23 Medals of Honor, far beyond your population, and that means Distinguished Service Crosses and Silver Stars and your Bronze Stars to match, the great State, from Gettysburg to the jungles of Vietnam, to go over there and remember that this is their hero, this war criminal, that McNamara has played like a disgraceful old fool, looking to heal his personal wounds, as some Senators have done who aren't so foolish.

And I just want you let them know that this U.S. Congress will never, ever, give them most-favored-nation status unless they reverse this arithmetic and stop sending us animal bones and use the training that we gave them in Hawaii so that they will know what are Asian bones, and if there isn't an Asian American heritage person involved, don't send us those bones anymore. I truly believe they do it to torment us and to keep us off balance.

That is a nice long burst than you didn't expect to get, but I wanted to get it off my chest so we could deal with one another honorably and agree to disagree when we have to.

Mr. GOBER. What a country, America. That is what I love about this country, because I totally disagree with you on the President of the United States. He is one of the most honorable people I have ever known.

Mr. DORNAN. He is your friend, I understand.

Mr. GOBER. Wait a minute. Before he was my friend, when I worked against him in an election before he was my friend, I didn't know him. I met him. He sincerely believes this. He sincerely believes and wants to resolve this, the POW/MIA issue.

I have never been involved in the economics, and the reason I never got involved in who wanted to do what is because I want to

stay as pure as the driven snow on this issue, because the President sincerely believes that we must do this.

I am well aware—and by the way, you are a great historian, I appreciate that, and I enjoy listening to you. But I was involved in the election, so I am totally familiar with Colonel Jones. I was in New Hampshire the day that it dropped, I was with the President the day it dropped, so I know all about it. I am glad for the story. I am glad he didn't have to go to Vietnam. I only wish so many more of our young men didn't have to go to Vietnam. I am glad no more killing took place.

And I don't want to debate the right or wrong. I just know this, that as an American and as a fighting man, I feel very much pride in my heart that I served in Vietnam. It was a defining moment, period, of my life. It will be with me forever. It will be for every one of my brothers and sisters that served there forever. The families will have to live with it.

That is why it is so important, and I will assure you that we will, because the President has said, we want a full accounting, and I will carry out his mandate to do that. The day that I couldn't do that, he wouldn't want me anyway. But he appreciates the fact that I tell him what I think, just as I will tell you, Mr. Chairman. You may not agree with me, but that is your problem. I am going to tell you what I think, just as you do.

Mr. DORNAN. Great.

Mr. GOBER. That is how I am going to do it. I know no other way to play it. And I never had anyone question my integrity before I got this job. It wouldn't have been good for their health.

Mr. DORNAN. And the same goes for General Wold, because he knows that he lived the life in the Air Force I dreamed to live.

Mr. GOBER. And we welcome the input from everybody involved here. But there is a song, the great Frank Sinatra song, "My Way."

Mr. DORNAN. Eightieth birthday 2 days ago.

Mr. GOBER. But I have taken too much time.

Mr. DORNAN. No; I took a lot more time; you can take all you want. And I understand your position, but I just want to ask you this, given your age, 4 years younger than I, did you ever hear these words before: "We will pay any price, bear any burden, suffer any hardship, oppose any enemy, and support any friend to ensure the success or the survival of liberty"?

The 18,000—we are close to 20 in Bosnia—the 18,000 Vietnamese-language-speaking, highly trained Green Berets that a World War II hero with a Navy Cross sent into Vietnam thought they were going there to keep the peace, and to help a friend, and to do for the southern part of Vietnam what we did for losing 33,629 KIA's and a lot of wounded and 389 known prisoners left behind, what we did in South Korea. I have got a rescue syndrome. I bet you, too, Hershel, I bet Winston does, and General Wold.

Somebody is drowning at the beach. My dad said, "You be the first one in the surf." I would like to go to Tibet tomorrow, and I would lead the troops, and we would all get killed and accomplish nothing. So sometimes you just have to pray.

I would like to go to the Sudan tomorrow, to tell you the truth, because it is Christians being slaughtered by the Muslims from the north, and it is damnable British map making. That place is bigger

than four Texases, or two and a half or something, and yet it is a north and a south by British maps, and they are killing one another.

Rwanda is not over yet. There are all sorts of places we could go all over the world, but I don't want draft avoiders standing up on the House floor like last night criticizing my patch for the First Division.

I said I won't be goaded, I didn't respond to the guy. He is running for the Senate; he is probably going to go down in 403 days, might be safe to say.

But I am telling you, we can work together on this, as I have established a good relationship with this Air Force war hero.

And I had breakfast with the Honorable Betty Lord, and Mr. Lord when he was in China, with my son, Mark, about to ride the Trans-Siberian Railroad; and the cold war was still being predicted by the CIA with a decade or more to run. Reagan was the only one saying Russia would end up on the dustbin of history.

And I went across that country, saw more birch trees than I had ever seen in my life and passed missile violations and big phase radar violations, and my son, through his eyes, said, "Dad, this place is a dump. Look at these million stewed tomatoes here. There is nothing on the shelves of the market. How do they do it?" I said, "Because everything goes to defense and space, with a military twist, and no accountability, son. This is a mystery." I quoted Churchill to him, enigmas, puzzles, conundrums. What is going on? A year later, a year and a few months later, gone.

But with Winston Lord sitting in Beijing and my son and I going out on Tiananmen Square, my son doing the Hacky-sack thing with great skill, drawing a crowd of these trainees, all loving these visiting Americans, my son with long flaming red hair and the guide who took him up to the wall of China when I was going to meet some of the diplomats that Winston set me up with—my son said, "Dad, we won this one. This country's free." That was August 1988.

What happened, June 4, the very next year? I saw the pictures of tanks that went back and forth and back and forth over a pile of students, who had helped build that miniature Statue of Liberty, until you couldn't see a bone in the gore mixed in with their clothes. That was 10 months after Mark Dornan and I visited with our distinguished envoy, Winston Lord there. So we've got a tough and dangerous road.

Obviously I am not a fan of Strobe Talbott, who wrote a two-page editorial April 6, 1992, lying about Bill Clinton, and saying that he, Winston, wasn't proud for chanting in the streets, "Ho, ho, Ho Chi Minh," or, "Hey, LBJ, how many babies did you kill today?," feeding that paranoia of Oliver Stone that now, you know, poisons the minds of our youth with crazy history and makes all of our jobs more difficult for us.

No, it is going to be a tough war in 3 days, and if a second term is earned in a different kind of election, I am going to shut up and live with Clinton in a second term. But I am going to do everything I can with my power not to make it happen and to see if we can have a 4-year run for the first time since the 1920's in my party.

You would be the kind of a guy I mean when I say I want Democrats in this administration. Let's go back to the Roosevelt days

where we get some crossfeeding on this. But let's get back to the theme here, because you are going to lead the delegation.

Mr. GOBER. I need to get out there and work on the reelection.

Mr. DORNAN. I know, it is your self-interest and it is your team. But let me come back to these figures; that is what diverted us.

And I agree with you completely, Hershel, if we have the same figures on the hard cases, then the family members tend to relax a little.

By the way, I am wearing a bracelet from Hope, AR, and it is an interesting bracelet, because Sergeant Holt went missing during the Tet Offensive, on day 9 of the Tet Offensive. February 7, 1968, M. Sgt. James W. Holt, Arkansas son, and the POW bracelet was born on this day, on my very first television show under my own name, 2 years later, February 7, 1970. And that happened to have been the 15th anniversary of my getting my pilot wings, February 7, 1955, in College Station, before Senator Gramm knew where it was.

This is important. I wear this, alternate it with Dave Hrdlicka's bracelet, to remind me that Arkansas is a great State and that a great Bataan Death March hero still resides in Fayetteville, 6 feet 4, looking like John Wayne. And he told me something you may not know. He never released that letter. He didn't have that letter. Those records were pilfered and destroyed. It was Colonel Jones who pilfered the letter, to hurt Colonel Holmes, because he had given Bill Clinton advantages at 23 years of age that nobody else got.

And the closing line in Clinton's infamous letter to Holmes says, "Forgive the length of this letter. There was much I wanted to say. There is still a lot to be said, but it can wait. Please say hello to Colonel Jones for me. Merry Christmas, Bill Clinton," off to Moscow, through Oslo and Helsinki a few days later.

Colonel Jones stole that letter to embarrass Colonel Holmes and Clinton, in the measure, sat on it all those years, released it to the Wall Street Journal.

Congressman J.P. Hammerschmidt, whom you know, told the Holmes family, "Don't give it just to them, give it to ABC." It went to ABC, which copied, sent to Bill, Renaissance, SC. Gives it to Ted Koppel. He produced that show and created it for 14 years, and Koppel took Bill Clinton on, running third. During New Hampshire, he is in free fall. He has got 18 percent, and he is going downhill, and first "60 Minutes" gives him his own tailored 13-minute show, January 26, where Mandy Grunwald gave him the line wrong and accused him of dodging the draft; I didn't; he did. He had his draft induction date reversed and crushed. And also accused of sleeping with a woman; I didn't. Leave this to the judges of the hereafter.

And then he gets on Lincoln's birthday, his own personal "Nightline," thanks to Richard Kaplan and Koppel, and goes into overtime like he is Margaret Thatcher, and it is all to wreck this letter, and, with the complicity of people with his profile, adultery doesn't count, homosexuality is OK, and the military is loathsome. He gets covered by the media, and they are doing it again. So this is going to be an exciting 327 days.

But let's get back to the issue here. Continue with any part of your statement you want and the knowledgeability of the Vietnamese on cases that they can unilaterally solve.

Mr. GOBER. We continue to push the unilateral effort by the Vietnamese, and I would like to let Assistant Secretary Lord make a few remarks. Then Jim Wold can talk a little bit about the comprehensive report and how we intend to use it when we go over.

Mr. DORNAN. How big will your delegation be?

Mr. GOBER. I think the total delegation is about 26 people; I think it is. The three of us will be the negotiators, and then we will have a member from the National Security Council, and then staff support.

Mr. DORNAN. Hopefully not Norm Halbert.

Mr. GOBER. And we are taking analysts. We will have the veteran service organizations. They have been invited to participate, as well as the leader families.

Mr. DORNAN. Will Warren Gray go? Yes.

And Melinda Cook will go?

Mr. WOLD. Don't know about Melinda. She is working on other projects.

Mr. GOBER. I don't micromanage the staff. They take the people they need to do the jobs. That is what we will do.

Mr. DORNAN. I don't want to put you under undue pressure, but this may be our last serious shot.

Mr. GOBER. I am just glad we didn't wait much longer. I am serious about this. I think that what we are doing is absolutely the way to do it, absolutely.

Mr. DORNAN. When we move along here, or if any of you are called away, because I am being unfair in taking time, but we want to resolve this issue. It is redacted things like this that the families get, 20, 25, and 30 years later, where, like any puzzle, the missing lines are tormenting, because it talks about—this record also provides details on the dispatch of captured pilots to prisoner-of-war camps at several locations in the northern section of the Socialist Republic of Vietnam, including Son Tay of the famous Son Tay raid November 20, 1970, which stopped the torture, even though we didn't rescue any men.

And then a terrible censor mark, sources. I am on the Intel Committee 7 years, I know why, but they always err on the side of carefulness.

This record has been kept from the outset of the war and previously held in safekeeping at Khamtai's former military headquarters in Sam Neua.

When I was in Vietnam with family members, and I went off alone to Intercontinental Siam Hotel, I met an Air Force officer who was over there from the historian's office, and he had a couple of drinks too many, and he started to tell me about a site that he found. This is within just a couple of years of this terrible gunfight along the top of this mesa. And he said to me, "Mr. Dornan, I was just a journalist," and he says, "There are SAR stories"—search and rescue stories—"that are the greatest in American history, and I am here to record them. I wonder if they will ever be told. Do you know about site 85?" No, I don't, but with my Air Force knowl-

edge I could absorb and memorize it, and he told me this incredible story.

When I got to be a Congressman in 1977, Gene Tighe brought it over to me. I read the whole careful story—unbelievable—men slinging themselves over the side of the cliff in hammocks and them leaning over, firing at them, dropping grenades, holding grenades, counting, hoping they would explode next to and kill these men. None of these bodies recovered, General Wold, and yet your people walked the killing zone of that radar site that directed all my friends in F-105's down in the Red River Valley along Thud Ridge to hit punk targets picked out by McNamara in Hanoi and Haiphong during those bombings that encouraged the enemy.

This site 85 story inadvertently, as Winston Lord says probably, or Kissinger does in his memoirs, gave the lie to some reports, made people look disingenuous who were very sincere on this.

But remember this, I wasn't on scene, Mr. Lord, when Nixon had a press conference that I thought was disgraceful because of my friend, Dave Hrdlicka and Charlie Schumer. He said, "All the prisoners are home from Laos." No, they weren't. We were bombing the crap out of Laos, and we continued to do it until August. How could Nixon make that statement?

And then years later, the late Bill Casey says to me, with Bob Smith in my presence, using the F word, "Yes, we left men behind alive." Imagine what that does to Congressmen dedicated to this issue or the son of a Navy pilot whose body was mercifully retrieved from the Chesapeake as the only one out of his crew of five.

He says to us, "What do you want to do, inflict President Reagan with an instant hostage crisis by us admitting that? We just got over one that destroyed President Carter." And we all looked at one another. Oh, I see. So even under Reagan an OSS guy like Bill Casey is going to play the game and not talk openly about leaving live Americans behind in Laos.

That is why, when I look at the Laos figures, Hershel, they are frightening, because every friend of mine would have been told, if you are streaming fuel and you do not have a jolly green giant in sight, bend your bird around and go back and bail out over North Vietnam. The odds are 60, 70 percent you are coming home. But if you eject over Laos, you are a dead man, unless you have that jolly green rescue team in sight. We didn't know to tell people that.

So Laos is a huge, dark, black hole in space, with all these men gone, and nobody has written the definitive record, except one half-correct article in Reader's Digest years ago. So I want to also affect history a little bit, but I will give you all this stuff.

Mr. Lord, if you wanted to make a statement, anything to submit for the record or read it or comment on anything I have said, even the political stuff, I will assume you will be diplomatic. I know you are going to do a good job over there. Do you think that within this year we can relieve the frustration of most of the families?

Mr. LORD. Mr. Chairman, I have a written statement I would like to be fully included in the record.

Mr. DORNAN. It will be, of course.

[The prepared statement of Mr. Lord follows:]

TESTIMONY OF

WINSTON LORD

ASSISTANT SECRETARY OF STATE FOR

EAST ASIAN AND PACIFIC AFFAIRS

HOUSE COMMITTEE ON NATIONAL SECURITY

SUBCOMMITTEE ON MILITARY PERSONNEL

DECEMBER 14, 1995

Thank you Mr. Chairman. I'm pleased to have the opportunity to speak to you today about our policy regarding Vietnam, Laos and Cambodia and the POW/MIA issue. This hearing is extremely timely, since it comes as we are preparing for the upcoming fourth Presidential Delegation on POW/MIA issues that will visit all three countries and on which leading veterans service organizations and the National League of Families of Prisoners of War and Missing in Action in Southeast Asia will be represented. The Presidential delegation's stop in Hanoi will be my sixth trip to Vietnam during this administration, and fourth as a member of a Presidential delegation. It will be my third visit to Laos, all in the context of Presidential delegations, and my fifth trip to Cambodia. These meetings underscore the degree of cooperation which we are receiving from each government in addressing this crucial issue and to expand relations to our mutual benefit. I will briefly address each country in turn, outlining the current state of our relations and the role of POW/MIA accounting in those relations.

VIETNAM

Obtaining the fullest possible accounting for our POW and MIAs has been and remains this Administration's highest priority with respect to Vietnam. Though U.S.-Vietnam relations are expanding into new areas, this task is at the center of our activity. I think it is important to remember that, much as some may disagree on the wisdom or timing of the particular steps we have taken, we share a common commitment to the task of accounting for our missing and obtaining the answers their families want and deserve.

Our policy has been to take incremental steps forward in U.S.-Vietnamese relations as we achieve tangible progress on our POW/MIA accounting goal. Before each of these steps, the President has carefully reviewed the progress that had been achieved and determined further tangible progress could best be promoted through these measured steps toward closer bilateral ties. In the first such step, in July 1993, the U.S. withdrew objections to Vietnam's access to lending from international financial institutions in light of demonstrable progress on POW/MIA accounting. At the same time, the President stated that further improvement in our relations with Vietnam would depend on Vietnamese efforts in four specific areas:

- First, the recovery and repatriation of remains of our POWs and MIAs;
- Second, the continued resolution of discrepancy cases, and continued live sighting investigations and field activities;

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- Third, further assistance in implementing trilateral investigations with Laos along the Vietnam-Lao border; and
- Fourth, accelerated efforts to provide all relevant POW/MIA related documents.

All of the actions we have taken in the two and one half years since then have been based on tangible progress in these fundamental areas and on our best judgments as to what we could do to continue and accelerate this progress.

In February 1994, the President announced the lifting of the U.S. trade embargo against Vietnam and announced his intention to establish a U.S. Liaison Office in Hanoi. On January 28, 1995, the governments of the United States and Vietnam signed agreements resolving issues concerning diplomatic property and private claims and announced the opening of liaison offices in Hanoi and Washington. Following the President's decision to establish diplomatic relations with Vietnam, Secretary Christopher opened the U.S. Embassy in Hanoi on August 6.

The presence of a U.S. post in Vietnam has enhanced our ability to make progress in accounting for American POWs and MIAs, allowed us to advance our economic and political interests, and made possible provision of consular services to U.S. citizens. Since diplomatic normalization with Vietnam in July, we have continued to receive strong cooperation from the Vietnamese on matters of importance to the U.S. Most significantly, SRV cooperation in our efforts to seek the fullest possible accounting for our POW/MIAs remains vigorous. We have continued to make progress in each of the four key areas. My colleagues from the Department of Defense can provide fuller information on these issues.

As the U.S.-Vietnam relationship grows, high level contacts between our governments are increasing rapidly. Vietnam is cooperating with us on important matters such as counter-narcotics efforts. We have concluded a good settlement for U.S. private claimants against Vietnam and have settled our diplomatic property claims with Hanoi. With regard to official debt, Vietnam agreed to assume responsibility for the social and economic loans made by the U.S. government to the former Republic of Vietnam. The Vietnamese agreed in December 1993 to a framework for settling its official debts with all of its creditors. We are involved in ongoing negotiations with Vietnam under this framework on our share of its foreign debts.

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In addition, the U.S. and Vietnam are engaged in an candid dialogue on human rights. As Secretary Christopher said in a speech to students in Hanoi, "Progress in this dialogue will enable our two nations to further deepen our ties." The fourth round of these talks was held in Washington on October 30. Human rights also has been on the agenda in every single significant contact between U.S. and Vietnamese officials, including at senior levels. Our human rights dialogue with Vietnam reinforces our political and economic interests across a broad spectrum. To borrow again from Secretary Christopher's speech in Hanoi, "the rule of law and accountable government are the bedrock of stability and prosperity."

On November 5, Vietnam released two American citizens, Nguyen Tan Tri and Tran Quang Liem, who had been detained since November 1993. Their release came in response to direct requests by Secretary Christopher in meetings with senior Vietnamese officials in Hanoi and in Washington in October. As you know, Mr. Chairman, given your interest in this case, we frankly disagreed with Vietnam's stated reasons for arresting and imprisoning these two Americans in the first place, but we welcomed their release as a sign of Vietnam's willingness to address our concerns in this area in the context of the overall expansion of our relationship.

Vietnam is now cooperating to promote regional security through the ASEAN Regional Forum. In the Forum, Vietnam participates actively with us and its Asian neighbors. The dialogue addresses important topics, such as conflicting claims in the South China Sea, discussions we believe can play a crucial role in maintaining peace and stability in the region. We welcomed Vietnam's admission to the Association of Southeast Asian Nations this past summer. As a Pacific nation, Vietnam should make its appropriate contribution to the region's stability and prosperity.

Economic, cultural, and academic exchanges have grown at an extraordinary pace. Tens of thousands of Americans, many of Vietnamese origin, are visiting Vietnam. Last month alone the Vietnamese Embassy in Washington issued over 8,000 visas. I am sure these contacts will form the first threads of what will grow into a rich tapestry of relationships that will benefit the peoples of both countries.

We continue to provide limited humanitarian assistance to civilian war victims and displaced children and orphans in Vietnam. All of this aid goes through American non-governmental organizations; none goes directly to the Vietnamese government.

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Not surprisingly, economic and trade ties are an area of great interest to the Vietnamese government in its relations with the United States, and to the American business community. Such ties are important, not merely for the mutual benefits they can bring to our two countries and economies, but also for their contribution to sustaining progress across the broad range of our bilateral agenda, including POW/MIA accounting and human rights. Accordingly, in announcing normalization of diplomatic relations with Vietnam, the President directed that the USG would implement programs to develop trade with Vietnam "consistent with U.S. law." During his August visit to Hanoi, Secretary Christopher announced our intention to negotiate a trade agreement with Vietnam.

We dispatched a fact-finding mission to Hanoi November 6-10 to explore possibilities for expanding economic relations. In addition to fact-finding, the delegation informed the Vietnamese authorities of U.S. concerns and requirements attendant to expansion of economic ties, including a bilateral trade agreement, Jackson-Vanik freedom of emigration issues, worker rights, bilateral debt, and other economic topics.

We will continue to consult closely with Congress on the unfolding process of normalization.

LAOS

I would now like to turn to Laos. In the early 1980's, the POW/MIA accounting issue provided a logical rationale for attempting to improve relations with Laos. Relations had cooled in the immediate aftermath of the war in Southeast Asia. We needed Lao cooperation in order to achieve the fullest possible accounting for the nearly 570 Americans missing in Laos at the end of the war in Southeast Asia. Following intense discussion with the Lao government, a C-130 crash site in Champassak province was surveyed in late 1983, and excavated in early 1985. Thirteen individuals were subsequently identified from remains recovered from that site. Since that time, our field activities have increased in scope and pace.

POW/MIA accounting remains the priority issue in our overall bilateral relationship with Laos. Building on the initial cooperation in the mid-1980's, Laos has cooperated in the slow, but steady expansion of our POW/MIA accounting activities. The level and scope of Lao cooperation continues to improve within the context of the limited resources available to the Lao government. I will leave the details to

experts from the Department of Defense who oversee this issue. However, I would like to note briefly a number of recent positive developments which have advanced POW/MIA cooperation in Laos. Since 1985, we have conducted 40 joint field operations with Laos. In 1995, we conducted six joint field activities (JFA) with Laos, and joint teams spent approximately six months in the field. We have expanded the size of our joint teams to 40 persons from 30, comprising four rather than three elements. Laos has agreed to conduct live-sighting investigations independently of joint field activities and has permitted Vietnamese witnesses to enter Laos to assist teams during joint field activities.

It is also important to note while we appreciate the level of Lao cooperation, we do not hesitate to ask for additional help in achieving the fullest possible accounting of the remaining missing Americans in Laos. For example, we are pressing for greater access to archival holdings and to expand the oral history program as a means to develop additional information on outstanding cases. We continue to hope for greater cooperation in these areas in coming months.

CAMBODIA

The United States supports efforts in Cambodia to build democratic institutions, promote human rights, and foster economic development. We are concerned about recent political developments in Cambodia, particularly indications that political intolerance may be growing. We have raised our concerns candidly with the authorities in Phnom Penh. However, Cambodia has come a long, long way in the past few years. It is important to maintain a balanced perspective while we work with the Cambodians on the many obstacles ahead. In pursuit of our goals, the U.S. Government has pledged \$33 million in assistance for Cambodia in 1994 and \$40 million in 1995. U.S. assistance has had an immediate and visible impact on the lives of hundreds of thousands of Cambodians.

The Royal Cambodian Government has repeatedly made clear through word and deed its determination to do everything within its power to facilitate U.S. efforts to achieve the fullest possible accounting of POW/MIA cases in Cambodia. Reporting by Joint Task Force--Full Accounting and by veterans and family groups agree that Cambodia has set the standard for full cooperation in our search efforts. The latest testimony to this record came with the December 4 repatriation from Cambodia of remains recovered from two sites during our most recent field activity. These included the crash site of a helicopter lost on Tang Island during the Mayaguez incident in 1975 from which thirteen U.S. servicemen remain unaccounted for.

CONCLUSION

The task of achieving the fullest possible accounting will be a long and painstaking one. It will stretch out for many more years just as we continue to recover remains of servicemen killed in World War II and the Korean War. The Administration will persevere in this task as long as it takes. Accounting for our POW/MIAs will remain the highest priority of our policy in Southeast Asia until the task is done.

Mr. LORD. Why don't we let Mr. Wold be next.
Mr. DORNAN. All right.

**STATEMENT OF JAMES W. WOLD, DEPUTY ASSISTANT
SECRETARY OF DEFENSE FOR POW/MIA AFFAIRS**

Mr. WOLD. Mr. Chairman, I welcome the opportunity to appear before your subcommittee and distinguished members of your subcommittee and continue our ongoing dialog concerning the Government effort to account for missing Americans in Southeast Asia. I would like to restrict my comments to a brief discussion of the Department of Defense's use of the zero-based comprehensive review and some related matters. As I mentioned before this committee 2 weeks ago, the results of this initiative are extremely important. They will refine and direct our pursuit of the fullest possible accounting for American personnel missing as a result of the Vietnam war.

If I might, as an aside, just return for a moment to the question that you raised earlier, a question of identification and repatriation, I would just like to add that the reason I differentiate between talking about repatriation and identification is that we, U.S. Government, control the identification process. The Governments of Southeast Asia—Vietnam, Laos, Cambodia—have no influence whatsoever in that process. And so I think it is more important for me in terms of accounting to look at the repatriation of remains.

I would want, in response also to another comment, to state that we, I believe by 1992, instituted a process of forensic review in Hanoi before the remains are ever repatriated to Hawaii. We have our forensic experts out there looking at the remains for the very purpose of screening out animal remains, Mongoloids, and that sort of thing. So what we do finally repatriate to Hawaii, we have a very high assurance that these are American remains, and hopefully do better, and the ensuing identification process will enable us to account for Americans.

Just a word of clarification there. During my last appearance, I testified regarding the rationale for the October 1994 to July 1995 comprehensive review and the methodology. From early September through this past week, the majority of my staff at DPMO has been involved in the careful and time-consuming process of preparing individual letters to all 2,162 primary next-of-kin in the unaccounted for Americans, notifying each of them of the results of the comprehensive review as they pertain to their respective cases.

Those letters were mailed this past Monday, December 11, and we have some indication that at least—that some of those letters have begun to arrive at the homes of those family members by now.

Now that the Department of Defense has informed the Congress of the results of the comprehensive review, provided copies of the supporting documentation, i.e., the summary of cases, and properly notified the families involved, we are prepared to discuss the results with the Governments of Vietnam, Laos, and Cambodia during the Presidential delegation in January. DOD operational planners at JTF-FA in Hawaii are preparing a work plan that reflects the joint actions identified during the comprehensive review for presentation to those governments. Our present plans are for JTF-

FA commander, General Viale, and me, along with our technical experts, to present the detailed work plan to the Vietnamese, Lao, and Cambodians immediately following the Presidential delegation meetings in January, and it will be extensive, case-specific discussions of the review's results. JTF-FA will lay out the plans for joint operations, and from a policy viewpoint I will address the cases in which we have identified actions by these governments as the sole next step.

I want to reemphasize that the results which have been presented to you and the Congress and to the families are a snapshot in time. Just as the collection of a body of evidence through document turnovers and joint field activities now has caused us to reassess some of the earlier analytic assumptions held since the war, we fully expect that the additional documents and evidence collected in the future will prompt us to reevaluate our current analytic assessments. Updating our assessments of individual cases is ongoing and will continue to be a dynamic process. Our work has continued without delay as a matter of due course. The next steps, identified by the case review, have already been taken for approximately 300 individual cases. The affected cases must now be reviewed again by our analysts here in Washington at DPMO and at JTF-FA and the Army's Central Identification Laboratory in Hawaii to identify further steps, when warranted, and also to determine whether the cases should remain in their present category, "further pursuit," or whether they should be moved to the "deferred" or "no further pursuit" categories. These changes will undoubtedly require us to make revisions to the work plan over time.

JTF-FA will be tasked to provide the respective governments with these work plan changes as well as providing updates on progress achieved in joint and U.S.-only operations during regularly scheduled technical talks with representatives from each government. These requirements can be incorporated into the already productive bilateral processes which the joint task force has established in all three countries.

We also anticipate that as these governments proceed to work on their individual cases, we will be kept informed of results and of any actions in which they may wish any assistance from us. The processes and the mechanisms necessary to achieve the fullest possible accounting are in place.

We all share a common goal, fullest possible accounting, and we intend to make full use of the results of the comprehensive review to move steadily toward that goal of keeping our promise to both our missing Americans who served our country so proudly and to the family members.

That concludes my statement, Mr. Chairman.

Thank you.

Mr. DORNAN. Thank you, General.

Mr. Lord, in your statement you state some facts that are good and pleasant to read: Economic, cultural, academic exchanges have grown at an extraordinary pace, and those academic exchanges were growing at an extraordinary pace when you were in China.

Some of those young students that came back from our colleges died at Tiananmen Square in 1989. I know that we are not going to run into that same post-cultural revolution terror in Vietnam,

but you were very proud with your statement that two people who ended up, who were my constituents originally, Nguyen Tan Tri and Tran Quang Liem, were released.

But it took 2 years to get them out, and during those 2 years some of our people, none of you, were toasting General Chou, who ordered 3 to 5 thousand people to be executed during the Tet Offensive on the Perfume River north of Hue. I visited that site as a journalist months after that tragedy.

Now you say economic, cultural, and academic exchanges have grown at an extraordinary pace. Tens of thousands of Americans, a lot of them my constituents, are visiting Vietnam. Last month alone, the Vietnamese Embassy in Washington issued over 8,000 visas, and a lot of these are American veterans who are going back for a good purpose, to try and resolve some of this.

But I will tell you, Hershel, it is hard to resolve it when the President deliberately leaves it out of his speech and we act like Vietnam was not equal to France or Korea or anywhere where we fought communism. It was a noble cause. It has been in the past how brutally it was pursued that we didn't learn anything from an honorable World War I, combat veteran, auxiliary officer, my dad Harry Dornan.

Harry Truman didn't know how to get himself out of the Korean mess, but at least he drew the line in the sand in June, 1950.

You go on to say, Mr. Lord, "I am sure these contacts will form the first threads of what will grow into a rich tapestry of relationships that will benefit the peoples of both countries."

That is what I want, too, but my problem may be timing and resolving some of the hurts of the past.

Let me read, because I want this in the record, something from your good friend Henry Kissinger's book that gives me a problem, and this is in part where he says you became a personal close friend. These are Mr. Kissinger's words. This is what I want you to remember when you go to Hanoi.

Equally frustrating were our discussions with American soldiers and airmen who were prisoners of war missing in action. We knew of at least 80 instances in which an American serviceman had been captured alive and had subsequently disappeared. The evidence consisted of either voice communications from the ground, I have got reams of it here, in advance of capture, or photographs and names published by the Communists. Yet none of these men was on the list of POW's handed over after the agreement.

"Why," Mr. Kissinger writes, "were they dead?"

Then he writes a hardy question. And I bless him for writing this. "How did they die?" I would add, alone, feeling forgotten. They have hurt Charlie Schumer, Eugene DeBruin, abandoned by their country. The world's free side superpower couldn't figure out how to track them and rescue them?

I think today our technology would enable us to pinpoint them and do what Gen. Craig Evans promised me, surgical raids, rescuing people in the Ban Nakay caves, when they could figure out how to handle the automatic machineguns pointing into the caves where our men would be slaughtered, some rescuers killed, and we would have accomplished nothing.

He told me they were waiting for the most propitious moment and it never came, although we did rescue, with violent rescues, our allies who probably then were captured and killed in so-called

reeducation camps. Maybe some of them got to this country, like a fighter pilot who was my busboy in the hotel here a few years ago.

"How did they die? Were they missing? How is that possible after capture?", Mr. Kissinger writes.

I call special attention to the 19 cases where pictures of the captured had been published in Communist magazines, like David Hrdlicka is pictured in a Russian newspaper, not faxed in those days, somehow or other ends up in a Long Beach paper. A friend mails it to Carol Hrdlicka, and she calls the closest base in Denver area, Lowry, I believe—is it Lowry?—and a brigadier general shows up at her door, "I am here to talk about your husband." "What do you know?" "Absolutely nothing, Mrs. Hrdlicka. I am embarrassed. They just said for me as a general officer to get over to your house." That this is embarrassing, because there is that famous picture of Hrdlicka with a bayonet in his back, North Vietnamese in a poncho. They looked like Pathet Lao to me. I think it was Pathet Lao. First 5-105 pilot down in Laos.

So this is what is on Henry Kissinger's honorable mind. He continues. Pham Van Dong replied noncommittally that the lists handed over to us were complete. Lie. He made no attempt to explain discrepancies. Experience has shown, he said, that owing to the nature of the terrain, this is the French dance, it would take a long time, perhaps a year, now it is 30, to come up with additional information, though he did not amplify what the terrain had to do with disappearing prisoners or all the photographic evidence.

Kissinger: We have never received an explanation of what could possibly have happened to prisoners whose pictures had appeared in Communist newspapers, much less the airmen we knew from voice communications had successfully reached the ground.

To count the acts of Le Duc Tho, who turned back his Nobel Prize—that is the name I reached for earlier—turned back the money, offered to release 20 prisoners of war ahead of schedule, ostensibly in honor of my visit, and give me the opportunity to pick them from the POW list.

That would have been phenomenal, because a traitor to America named Cora Weiss—have you ever heard that name?—was manipulating all the family mail in violation of U.S. Federal law, tampering with postal communications, and sometimes would misaddress them, and a letter would arrive at a family's house, they open it up, their hearts pounding, and it is empty, nothing in it. Torture, by Cora Weiss, who gives new meaning to the words "pro-Communist."

How Henry Kissinger writes, the North Vietnamese were at their most adamant, open parentheses, and obnoxious, close parentheses, about Laos and Cambodia—now I won't go on with that, because Mr. Lord knows what a great book this is, "Years of a People."

You see the problem there? They are not obnoxious any more, are they? I hold it up for the fourth time. There is their hero, killer Fidel. And they look at you people the way they look at the French. Tougher to get stuff out of us, though, and no money, except the money that the Communist Party steals from the village searches.

What I would like to know is, will the delegation, any of you, volunteer this information? Will you insist on the Vietnam Laos

records behind that 555 document? That is their number for it, the 555 document.

Jim is the closest to it, so we will start with you.

Mr. WOLD. We have continually raised that question, and we will, yes. We will continue to raise the question on that document and other documents, any other documents which they have.

Mr. DORNAN. Have you written all the families now? You said you would do it. You personally took care of that by the 12th?

Mr. WOLD. Yes, sir.

Mr. DORNAN. Now, you know when you brought all the documents to my office, which was great, we don't have your expertise or the expertise of Warren and other people, so we made our own so-called scrub. It is probably not going to be anywhere within light years of the precision of yours.

Can you, in a confidential manner, release at some unknown time in the future—give me the names of your scrub? And I will give you the 24 cases that I have here today, so that we can together figure out what we are going to present to them. That is, we know that on their knowledgeability, to quote Dick Childress, that they may or may not say, "OK, we have gone far enough; we want most-favored-nation status; we want to reestablish the growth; I agree with you, we have got all these thousands Americans coming here; yes, we will probably solve these cases where there were photographs," like Ron Dodge, who we did get back, by intense pressure, including mine. I pushed his folder forward in the summer of 1979 and said you built on this one. This is the cover of Life magazine. I created that Life cover with Lou Wainwright, the family media, 1972, so we got Ron Dodge back.

They went to the warehouse, took his remains off. We could tell they had been chemically preserved. But we got Ron Dodge back. We have got to resolve the Ron Dodge type cases.

Can I have at some point in the next week, or before, sometime before you go on the trip, your best list to compare to my 24?

Mr. WOLD. I believe it is incumbent upon us to present these to the governments. But the fact is, right now we are working on a work plan. We don't have it completed. It is a process that we work together with the operators.

I know that JTF-FA is busy, even as we speak, working on the work plan that is to be presented to the respective governments. I can't give you a date when we will have that completed. Certainly we can communicate with you and discuss the 24 cases that you have and any differences that you may have and which we may have or which you feel where we have differences.

Mr. DORNAN. If you could just give a cursory briefing, General, before the trip in South Vietnam, to your two honorable colleagues there as the three leaders of this delegation, and Ann Mills Griffiths, very familiar with these. I haven't read all the cases. I tried to read most of them last night, just a familiarity. You being the expert on this, I will give this to you.

Allow Mr. Pickett and me to go vote. If I am pressing somebody's time, I think I would only need you for Mr. Pickett's questioning, and maybe perhaps 10 minutes of mine, and then we will go to our next panel, which is Garnett Bell, who spent over 2 years in Hanoi, and three family members; Carol Hrdlicka; Kathy Borah Duez, who

we know was victimized by horrible cheating scams over there in the East German photographs and all of that; and David Morrissey, a son of Robert Morrissey, a case I have been tracking for several years.

We will take a short recess and come back and try to get you gentlemen out of here.

[Recess.]

Mr. DORNAN. Gentlemen, I am sorry that was longer than I promised, but we had back-to-back votes, defeating a recommit, and then voting for another bill that we thought would be a conference report, that we thought would go back to September, and then we swore in Jesse Jackson, Jr., which was rather a historical moment. He has got a lot of pressure on him, given his dad's fame. I did shaft his speech, to be polite to you, but he was making a great speech as I left the floor.

OK. Now, this, I think, would be more for Secretary Lord. But, gentlemen, to try and get close to the final history here, I told you I was over in Vietnam eight times. Four of those trips were to Laos. G. McMurtry Godley, was the Ambassador there when I visited in 1971. He was the field commander of the so-called secret war in Laos, and he rode it like a bucking bronco. His wife was there with him.

Congressman Pete McCloskey went over, had dinner with him, and then on the ramp the next day at Bien Chen called him a first degree murderer, deliberately using white phosphorus to genocide every village north of Sam Neua, in north of Laos. An erratic statement for a Navy Cross winner, my friend Congressman Pete McCloskey, but obviously the Ambassador was in no mood for that.

So when I came there as a journalist and said I wanted to retrace Congressman McCloskey's steps because he had more or less walked off my television show, he gave me a CIA helicopter, small jet ranger, CIA contract pilot, Hawaiian-American, swashbuckling fellow, and we went up all over the country, and I learned more. Father Matt Manger went with us, who had been McCloskey's translator and did not think well of the Congressman, and it was another one of those amazing trips.

Now before G. McMurtry Godley, the field commander, also riding the secret war like a bucking bronco, was another Ambassador, who went on to be Ambassador of the Philippines and was in Iran when the first hostage crisis took place; and his code name, as I recall, was Cowboy; Mr. Sullivan, Ambassador Sullivan. Maybe we will have him testify one day.

But what I would like, looking forward to that, is, I need the records that are ancient now of United States Ambassador Sullivan when he ran the war in Laos. The State Department has those records. I don't want to have to run a Freedom of Information request as a U.S. Congressman. If there is anything that is still sensitive that you think might adversely affect your seeking the fullest possible accounting, I will take the records and Intel will keep them secure and give them back to the State Department. But I would like to have those records made available to our subcommittee.

Do you think that is possible, Secretary Lord?

Mr. LORD. I have no idea. We will check into it.

Mr. DORNAN. OK, thank you, sir.

Then I wondered, Secretary Lord, right before normalization—and I hate to bedevil people with adjectives or descriptive adverbs, but they were flowing from Senator—my pal Senator McCain all the way over here—superb, unparalleled. There were about six of them. I have got them on a little note in the corner of my desk. I keep looking at them, and I couldn't use any of them.

And I think one of words you used, Mr. Secretary, were that they were superbly cooperating, the government in Hanoi.

Learning what we have learned just in the months since you said that, could you make that statement today, that their cooperation is superb?

Mr. LORD. I think their cooperation is excellent; choose your adjective. If I said that word, I stand by it. I think the cooperation continues to be very constructive. We will keep after them.

Mr. DORNAN. Good. Keep after them, and we won't argue about adverbs then.

Using Dick Childress' construction of our unilateral ability, very small now in cases, joint efforts which will continue and everybody works hard on, do you think there is a goodly number—2 dozen, 3 dozen or more—of cases that they can unilaterally solve on their own before you get over there or at your request on this trip, Secretary Lord?

Mr. LORD. My understanding of the definition of "unilateral" is portrayed in the scrub—and Mr. Wold should address this—is that in these cases which we have said the next step is unilateral, is that we feel there is not much more we can do on our side.

If there is going to be further progress, at least in the next step—maybe they will uncover things we can do more on our side—it is going to have to be done by the other side.

Does that mean in every case they can absolutely do something? No. We don't know, we can't prove a negative, we don't know exactly what they can do, but we will keep after them, and we have discovered in the scrub that our best bet in those kinds of cases is to see whether they can do something, as opposed to joint or American unilateral.

You may wish to elaborate.

Mr. DORNAN. All right.

General Wold, before you elaborate, do you think, given the last few months, that at this point you could say the Vietnamese Government is being fully cooperative?

Mr. WOLD. I would have to say that from what we have seen this year, the rate of repatriations, for example, which is running about 59 per year on the average over the last 3 years, exceeds the rate of annual repatriation over any prior administration. If that is—

Mr. DORNAN. Not for President Reagan's.

Mr. WOLD. The average for any year. That is an accurate figure. And I can provide that in more detail. I can provide that in writing.

Mr. DORNAN. You mean if you took Reagan's whole 8 years, because there was a burst of activity there.

Mr. WOLD. All years, right, for any prior administration. I will stand on that statement.

Mr. DORNAN. Identified remains?

Mr. WOLD. No; repatriations, I said.

Mr. DORNAN. See, Jim, this is where we have got a big problem. Don't talk to me about these repatriations of animal bones or Asians, Vietnamese-Asian.

Now they claim they have animist respect for their ancestors, but Communists are atheists, so they treat everybody as a fool if you are a believing Buddhist, a Shintoist, an animist, a Confucianist, or certainly a Roman Catholic, because of ZM. They don't care if they send us the bones of their people.

Don't use that. Give me—because remember, I am going to give you this document, a Russian Communist telling them, "Send them animal bones." Are you aware of that communique? I have got to get that to you. And they did it.

Don't let them play us for fools.

Mr. LORD. Mr. Chairman, the only indicator of cooperation or progress is not just remains. That is obviously the single most important in the sense it can help us absolutely take a name off that list. But information that brings some knowledge to the families or determines the fate of an individual, I would argue that that is very important as well. So you cannot just judge progress by the amount of remains.

Furthermore, as we get further from the war, whatever one thinks about what the Vietnamese may or may not be holding back, the fact is, it is more difficult in our searches, it is more difficult to come up with large numbers of remains. So I don't think the only yardstick should be the number of remains in any 1 year. It is a very important one, but that isn't the whole picture.

Mr. DORNAN. Oh, I would agree. You are the expert, as is your wife, on different sensibilities and different cultures, and I have tried to convey to them that only 10 percent of the country or less is tracking this, and that we are not a spiteful or vengeful people, and if they were to say to us, trying to understand our culture, say we shot them at the bombing site, houses were still burning, and we threw them in a river, and he went down the Red River, that is what we did to him, and here is the unit's documentations of that incident, that Americans are not going to say, "You beasts." They will say that is warfare.

Germans pitchforked to death on Christmas Day our leading P-51 Mustang ace, Christmas, 1944.

By the way, we hung the farmer who led the stabbing pitchfork death of our leading Mustang ace.

War is cruel, but I think it is psychological torture to keep stringing out the families on their part, thinking that, well, we can give them what they want and things progress. That is why I agree with you, Mr. Lord, that sometimes records, without remains, are very revealing.

But to go back to our—your friend and my friendly acquaintance, Dr. Henry Kissinger, they were obnoxious, he said. You know, he still has a thing about Le Duc Tho and how he told me once, every single paragraph and codicil of the Paris peace talks were violated, all of it, that he was played for a fool. He is still resentful for it. That is why he said, "I am not going to speak out about normalization, because obviously I have got this burning anger and everybody will write it off as my unrequited disgust for the way the Paris peace accords were treated."

But I think that you are right, records, and that is why I keep asking about unit 559 records. Again, Secretary Goyer is not the expert on this. Jim Wold is by this time.

But you will press on this trip, General, the 559 records?

Mr. WOLD. [Nods head.]

Mr. DORNAN. And you are going to take a series of photographs with you? I mean, if they are as friendly as people lead me to believe now, it has got to be a little different than Le Duc Tho or Pham Van Dong just in an obnoxious manner dismissing photographs, stifling Henry Kissinger, not answering.

They probably will look at photographs if you put them in front of them and go, "Well, yes, I guess we could answer that."

I think it is going to be a tougher nut to crack Laos and make them concede after all these years that they controlled all the battle sites in Laos right up to the edge of the Sam Neua.

Are you going to take photographs, like Ron Dodge's Life magazine cover, and say the 10 percent of America that track this carefully and all the families—and they have some political clout—they want this man accounted for? Where did these pictures come from?

And remember, some of the photographs had people in the background who are obviously Bulgarians, Czechs, Indians, or Pakistanis, with 16-millimeter cameras, filming our men, who have little tears on their flight suits, who maybe the crowd beat them up a little bit but now they are in military custody.

It was in a period where, not only given the French experience, but where orders were coming down from the top, preserve these pilots, they are going to be a great negotiating tool.

That is what I want to know, are you taking hard photographic evidence again?

Mr. WOLD. I haven't specifically thought of that question, Mr. Congressman. We will be putting together what will be a very comprehensive, very complete work plan to address these cases.

Those were all three of the activities that you mentioned with respect to Dick Childress' context. All three areas will be addressed in the work plan, in the presentation of the work plan.

Mr. DORNAN. Then let me ask you, Secretary Goyer, and tell you again up front, no hidden agenda, I want to hold you to it at some future hearing maybe, so weigh your word. And, again, I am not going to hold you to certain adjectives.

Do you think the Vietnamese at this point are being fully cooperative? Superbly cooperative?

Mr. GOBER. I think the Vietnamese are cooperating. I think that as Winston said, as Jim said, I think we keep pressing. That is the purpose of this delegation. We keep pressing, and we will continue to do so, because we have one mission.

The only thing that I am interested in is getting as full accounting as possible for the families.

And another thing, Congressman. When we return, I will be more than glad to come back and give you a briefing on what our feel was for the trip.

Mr. DORNAN. Thank you.

Mr. GOBER. But I don't like to use—I think they are cooperating.

Do I think that they can do more? I always want people to do more. I do know that in our meetings they are very candid. When

we show them the photographs of these Americans that they had and we can't get them back, where are they, we want to know where are these, you know.

And I realize their country has gone through a lot of turmoil and everything else, but our mission is to determine what happened to those Americans. So we will continue.

You know, one of my friends, one of my fellow Arkansans, Sergeant Bennett, who was killed in Vietnam, it was many, many years before his family received a picture that they had had for 20 years or so. So it is very frustrating.

And I know that I have talked to Carol, I have talked to other members of the family, and I understand their frustration. I just think that we have to keep doing this. We can't leave our warriors on the battlefield. We sent them in there; we have a right to get as full accounting as possible.

And, you know, that is one thing I would like to think, if anything good came out of Vietnam, it gave us an awareness of a lot of things. First of all, when we go someplace, we need to have a mission, we need to have the support of the country. Second of all, we need to—we must make sure that—we insisted, we Vietnam veterans insisted on this—it has never been done before. Over 800,000 missing from World War II, over 800,000 missing from Korea. You know, we never insisted on this before. When we came home—and I think it had to do with a whole complex issue that was Vietnam and continues to be Vietnam—we came home, we wanted our buddies home.

And I think that that is something, that it is admirable, it speaks well for our society, speaks well for this Nation as a whole, that we want to bring back the people who fight this country's wars. It is what makes us great, I think.

Also, the fact that we have so much diversity and so many diverse issues, opinions, on this issue, all of us want the same thing. I want to think we all want the same thing, that we want to account for these Americans. So we are going to do everything we can.

Are they cooperating? I think so.

Do I think it was the best way to try to get them to cooperate more? I think so.

I think any time we can sit and talk to people, we have a chance of resolving issues. If we don't talk to them, I know one thing, I don't know how we can bulldoze them. I think that we have to say, and they have pledged to us, and they realize there are other things that they want, so we have to keep pushing on this, and we will—you have my pledge, my personal pledge, that I will continue to do so.

Mr. DORNAN. Well, that was well said. But keep in mind that I have even had some heated arguments with friends of mine over in the Senate when they use the World War II and Korean compromise.

Remember, we discussed the Korean problem a second ago, the graveyards they overran, the men that they captured, the South Vietnamese that they captured by the tens of thousands, that Lieutenant Cho said he believed that as short a time as 10 years ago, out of his 42 years captivity, he thought they had 10,000 prisoners

that had been integrated into the society, allowed to marry, but were still being watched carefully, and would have to escape the way he did to get back to South Korea.

And remember, it is this U.N. command problem where the North Koreans say to us, talk to us, and we say, no, you go through the United Nations, and they say, in their idiom, go to hell. So that makes that different, with that 8,000 figure.

And the figure was even bigger for South Vietnamese; it was 40-some thousand missing. But in World War II, I even have to footnote when I say, but we wanted and controlled the battlefield and captured most of the archives, except the evil cosigner—and I reverse the historical title—of the Stalin-Hitler pact.

The evil cosigner of that controlled half of the battlefield, and Americans, as American as you or I, with a Ukrainian or Russian surname, were not returned, lost forever in their own culture of birth or their parents' culture. So we didn't even control the whole battlefield there, but at least we were hanging war criminals and had most of the archives to make a case to hang them with.

Your Vietnam vets drove a memorial that I came to like. I thought it was insulting at first because it was designed by a person that, the more you read her writings, she wanted it to be not for all the Vietnam vets, not for the wounded, just for the dead, a black gash in the ground that would make us feel we were guilty and we shouldn't have been there. And then the minute the first name was chiseled on, it became hallowed area.

Now we fought for the flag. After we left the room, they moved it into the woods. It still looks great in the woods. The men are in the woods; the women's memorial has been pushed off in the woods. Someday an American flag will fly at the apex of the Vietnam Memorial. And President Clinton never did that. Might solve a lot of problems with Bob Dornan. It is going to happen sooner or later. Maybe the next President will do it.

Red McDaniel took a big American flag that had flown over the Capitol and planted it there, and the Park Police didn't know what to do with it for a week or so, and eventually it went off with all the boots and the medals and the wonderful memorabilia that is left there.

But you have done a great job. The memorial now drove the Korean Memorial, which now is driving the World War II Memorial, which will be probably as uplifting as the Korean Memorial, with a flag at its apex and the proper memories about those that bought our freedom with their blood and their wheelchairs and their lack of full movement with some of their limbs, like some heroes in the U.S. Senate and one or two in the House like Sam Johnson, 7 years a prisoner.

By the way, Sam Johnson, who was severely tortured over years, which John McCain was not—not to say his torture wasn't of a different kind; he was his own jailer because he could have gone home at any time because his dad was commander of the bombing program, what little he was allowed to do, under a totally politicized president, LBJ. But he was not tortured the way Sam Johnson was.

We have another POW here who admitted to me that he played basketball. Why not? Played volleyball, and was photographed

doing it. Sam Johnson went to Alcatraz because he refused to play basketball, refused to play volleyball. His wounds were not allowed to heal anyway and wouldn't decorate a phony Christmas tree because he knew he would be photographed and used in the propaganda war, because they did win it in the Halls of Congress, not on the battlefield. We all know that.

And James Bond Stockdale won the Medal of Honor for beating his face with a stool, cutting off all his hair with pieces of glass. And when the jailer walked in and said, "Commander," or, "Captain, what have you done to yourself?", he said, "Tell them that I will not be appearing on television tonight." That got him the Medal of Honor, along with suicide attempts.

Some men were utterly exemplary, and they were put in Alcatraz along with Sam Johnson. Sam Johnson is with me on everything I say in this committee; and he is with Bob Smith in the Senate in spirit, word, and deed. He is the head not only on the Smithsonian, but on the board of directors, as an outgrowth of the obnoxious planned Hiroshima exhibit to make us appear racist in the cause of the war in the Pacific, but he is also our point man on a House committee that goes to Russia to try and solve the cold war prisoners from World War II and the Korean problems.

He works that and leaves his war, Vietnam, generally up to me and to Ben Gilman, who is the full Chairman of International Relations, and who thinks the world of Winston Lord, who has testified before him umpteen times when we were in the minority and now in the majority.

I think without holding you to all your descriptions, I repeat, this may be our last best shot to say to the Vietnamese, with all the earnest passion that all of our people conjure up when we try to get serious with them, to say you have to put cultural differences aside and what you perceive to be embarrassment; and there is a group of Americans that are asking for fairness on photographic and voice evidence.

And we know we are not going to get everyone accounted for, but you are not even taking a percentage bite out of these most serious cases. And I read 55 and 79 and 400 and 200 and 15, and now I have got 24, and you still have a number, that is a mystery to me, as the core of your comprehensive review.

Let me just start with General Wold and end up with Secretary Lord. You in the middle as the senior man, you can be the anchor man. What do you hope to accomplish on this trip? What are your fondest hopes, General Wold, when you come home from Hanoi? And you are going when, in January or February?

Mr. WOLD. We are scheduled in January at the present time, Mr. Congressman.

Mr. DORNAN. It is not a hard date yet, right?

Mr. WOLD. Mid-January, dependent on transportation.

My fondest hopes are that we will plant the seeds in presenting the work plan and the results of the comprehensive review with each of these governments, and with Vietnam in particular, and that over time—and I would have to say the jury is going to be out for some period of time as they react to—as we give them the opportunity to react to this new information. My fondest hopes will be that over time we will measure progress and increase coopera-

tion as they have pledged in all these areas, joint field activities, and in the cases that we will present to them on an individual basis for them to work the next steps.

Mr. DORNAN. Secretary Lord, you have everything from French nuclear testing problems all the way up to a potential aggressor state with nuclear weapons in Korea, and through all of the problems in China with your expertise and human rights violations.

I might tell you, I took my grandkids to Disneyland Sunday. Everything is made in China, everything—every space toy, Mickey and Minnie doll. I didn't find a single object—and I started looking in any gift shop—that didn't say "Made in China." Not Taiwan, not Hong Kong, China. And it is growing, and there is a good side to that, I guess.

But what are your fondest hopes with this terrible distraction from bigger problems in East Asia and the Pacific? What are your fondest hopes in the Hanoi trip?

Mr. LORD. I can't improve on what Mr. Wold said. I agree completely.

Mr. DORNAN. Right.

Before I turn it over to Mr. Pickett and ask the same question of Secretary Guber, I was in Geneva—you probably know this well; Mr. Lord—I was in Geneva, 1979 to 1980. Bob Michel, our minority leader, put me on the SALT talks, and I went over there. And an army general, who speaks about 14 languages—terrific man—said, "Let me tell you what I did here. I brought over a New York lawyer, a tough aggressive advocacy lawyer." As I recall, he was in the mold of a Dershowitz—good, fast. And he said, "We don't know how to bargain with these Russians." They had just rolled Jimmy Carter back from a beautiful position of shutting down all the biggest ICBM missiles. And he said, "Every time they said no, we rolled, and they already knew through leaks our three or four fall-back positions. And I watched this New York lawyer train our star negotiating team in New York—tough lawyer advocacy, how to go after these guys."

Now I have gotten a secret briefing on the main Russian head of their negotiating delegation. There it is all in print—womanizer, alcoholic on vodka, typical profile of those days. But he was tough as a schmoozer. Picnic down at Lake Geneva that afternoon, I watched him schmoozing and operating.

And I just wonder sometimes in these dealings if, as tough an Ambassador, as Secretary Lord can be, if we don't need some good New York advocacy lawyer training or that colorful gentleman from Wyoming with the buckskin jacket to go over there and schmooze them in a different way than a New York lawyer.

But we have an opportunity again to be advocates for the families in a tough way and think of it in a way that there aren't going to be too many more shots.

So you as a combat veteran from Vietnam, what are your fondest hopes on what you can bring back from Hanoi?

Mr. GOBER. I hope that we will continue to emphasize to them how important it is to the American people and how important it is to the President of the United States. I mean, that is something I can do, because I know for sure that this is not something that

we are just doing; that it is very important to this President that we do this.

And also that we want them to continue to be open, forthcoming and continue to answer these questions, legitimate questions, that are being raised about our missing service personnel, particularly the ones that they had. There is a doubt within the prison system where they had photos of, or we know they had them, there should be a trail there and they should be able to tell us. If they died in prison, like you said, we want to know, did they die in prison?

We understand that things like that happen. We want to know where did they die? Where were they interred, those kind of questions?

We will keep encouraging them to do so and we will continue this effort until we can answer as many questions as possible.

Mr. DORNAN. Gentlemen, I would just plead with you to not report one thing when you come back, that you were virtually allowed to go anywhere in the country you wanted. This just is not true and everybody keeps saying it when they come back. They have their Fort Knoxes. They have their military operations that are verboten.

You will not trespass into this. This is their forbidden zone. Just as if they suspected we had prisoners, we would not let them into the Langley Building or the CIA, into the OSA at Fort Knox, and we understand that.

Mr. GOBER. That is right.

Mr. DORNAN. And you tell them that we know you are not letting us everywhere. You know you could have held people if they are alive, and that issue is a painful one that you must be able to tell us. Because you know Bob Smith comes back angry, that Kerry says I want to go and see this, and there was a prisoner there, a yachtsman, maybe suspected of marijuana running from that well-traveled Hong Kong to Bangkok route through those old pirate waters, but he was in the prison. And they put him in a car and drove him a few hours away. And Kerry went in the prison and looked around and said nobody is here. As soon as Kerry is gone, he was brought back and was put right back in the same prison.

And how do we know? Because they released him a few months later, and he went to the Senate and told them that. So, we can be played for a fool very easily and we better not go through that drill and then get embarrassed later.

And Jim, who is an honorable combat Air Force pilot, in one of these articles, maybe abbreviated by one of your staff, said, quote, "We went virtually anywhere we wanted on short notice." And that is just not—I see some family members already nodding their heads that they don't buy that for a minute. So just be careful about grandiose statements like that, that you may deign to smooth things with the Vietnamese for a next trip. But I just beg you. You don't have to be as hard-edged as I am, but they are Communists.

And remember what Lenin said, "Anybody that tells the truth is a jerk. The whole idea in life is to lie constructively to advance your political goal." When I went to Albania and they tore down Lenin's statue, I said where are you getting the Lenin statue?

Here is a man, I had just been to the Library of Congress and seen in his writing, "Hang 300 people in that town, that will get their attention." He was a war criminal and a mass killer, and we have Marxists in our colleges that still speak ill of Stalin, finally, and well of Lenin. We don't have Nazis teaching in our college system but we have ex-pro-Communists Marxists teaching in our college system, so it is a complex world.

Mr. PICKETT, you get to pose with all of our distinguished witnesses.

Mr. PICKETT. Thank you, Mr. Chairman.

Do I understand correctly, Secretary Guber, that this is the second delegation of this type that is going over to Vietnam and Laos?

Mr. GUBER. This is the fourth delegation, sir.

Mr. PICKETT. Fourth?

Mr. GUBER. This will be the fourth delegation to Vietnam; the third delegation to Laos and the first delegation to Cambodia.

Mr. PICKETT. I see.

And the members that are comprising this delegation, are they the same that went on the previous delegation?

Mr. GUBER. Except for the delegation that went earlier this year, it will be the same. The veterans' service organizations and the families did not go in the delegation earlier this year.

Mr. PICKETT. Has there been some thread of continuity that has been pursued in the four previous delegations that have gone over?

Mr. GUBER. Yes, sir. There has been some continuity. The American Legion has always had the same person. The League of Families had the same representative. The other organizations have changed, based upon the internal politics of the organization.

In other words, the vice commander, junior vice commander goes, and then the next year he is promoted so he is not available to go. He is doing something else. But they have kept themselves briefed and they are good representatives.

Mr. PICKETT. How have you measured the success or failure of these delegations in the past? What kind of process have you followed?

Mr. GUBER. Well, the first one we did in 1993, of course, was an icebreaker, where we presented, as I said earlier, in my testimony, what we were looking for; some of the assistance we wanted in making—setting forth four categories, the four areas that we had to have progress in, that was set by the President.

And then we—in 1994, went back and we—in the meantime, had remains excavated or we received documents. It is based upon what we received from them. That is not a very good answer, but the progress we have—since 1993, the progress has improved.

We have received many documents. They established certain teams to look into the Department of Defense and the Department of the Interior, to try to go through their archives and bring out some of these documents, some of these photos and things that we need to help us identify these cases.

And we have been working with them to educate them on what it is that we need, and to go through their files.

Mr. PICKETT. But has there been some process that the delegation would have a record of specific requests that you may have made in the course of your discussions or negotiations, however you

characterize these, items 1 through 200, or whatever, and then whether or not the Vietnamese or the other governments were able or were willing to comply with those specific requests that you—someone may have made in the course of negotiations? Has there been an evaluation on that basis?

Mr. GOBER. Yes, sir, although not a formal one. We know what we give them and what we ask them for and when we get it, you know, we kind of check it off. And the other areas that we keep pushing, like the last known alive discrepancy cases, we keep pushing on those and some of those we have not gotten all the information there that we want. There is much more information that we want to get on those cases.

Mr. LORD. I can give a concrete example.

When we went to Laos, I forget the exact date, we pushed for immediate investigation of live sightings as opposed to waiting for joint investigations. We pushed for the enlargement of teams in the field and the number of teams in the field, and we pushed for allowing Vietnamese witnesses to come into Laos to try to help us.

We also pushed for all histories and access to their archives. On those first three, we got very good and quite prompt cooperation. On the last two, we are still not satisfied. So we are going to keep pushing them on this trip so that we do make those kind of evaluations.

Mr. PICKETT. The institutional memory that must be building up as a result of the trips over there, is this leading you to new areas of investigation that you were not aware of when you commenced this undertaking?

Mr. GOBER. We established four areas and within those four areas, I think it pretty much covers the waterfront. It covers, live sightings. It covers discrepancy cases. It covers the archival. So everybody kind of falls in there.

Now, we keep hoping, of course, that we will receive more information as they go deeper into their archives and, as Mr. Lord says, when Laos lets us in their archives, we hope that we will have much more information that we can work on.

Mr. PICKETT. The people that you are meeting with or dealing with there, do you have the feeling in your discussions with them that they are the people that have the authority and access to the information that you are seeking, the authority to produce it?

Mr. GOBER. Absolutely. We meet with the highest level, from the Prime Minister Do Mo—I mean, the General Secretary of the Communist Party in Hanoi, and with the President, Prime Minister; the chairmen. We meet with the people that have the authority.

And, in fact, I think that is what is good about the delegation, because we do get to meet with those people, and sitting down and talking to the General Secretary, I talked to him just as I do with the—tell him the same thing I tell his underlings and let him know how important this is and let him know, we need this.

We need more documents. We need more access to your archives and things like that. And it does have an effect. Establishing the archival research teams to go into the Minister of the Interior, the Minister of Defense, was something that we asked them to do, and they did it.

Mr. PICKETT. Do you get any kind of written documentation, commitments or any kind of express written undertakings as a result of your discussions, on the part of the Vietnamese Laotian Governments?

Mr. GOBER. I am not——

Mr. LORD. There will be verbal pledges. There will be records of our meetings when we followup. There have been occasional letters from the leadership pledging general cooperation. I don't know beyond that what you have in mind.

Mr. PICKETT. But there is no document that sort of summarizes what it is that you have asked for, what it is that they are committing to provide you with? There is nothing to document that?

Mr. LORD. Well, yes. We have systematic presentations during the meetings and we have the records of those meetings. We follow up. The joint task force is there, of course, at all times. So in that sense, there is always systematic followup, if that is the thrust of your question.

Mr. PICKETT. Well, more than that, it was whether or not—let's talk about Vietnam and leave the others aside for the moment. But are these governments willing to give you some kind of written assurance as a result of your meetings with them that they are going to produce certain documents, certain archives, certain photographs, or is this just a discussion and you record your version of the discussion and they record their version and there is no actual meeting of the minds as to what anybody is specifically going to do?

Mr. LORD. Well, there are—we will ask for documents. We can't be sure they have them. We think they should have documents in many cases.

So ordinarily, you won't get an immediate response beyond, we will look into it. Sometimes they have come up with materials. Sometimes, they haven't. We can't prove whether that isn't full cooperation because you can't prove a negative. But we have received more information.

Mr. GOBER. And in 1993, the League of Families had asked for, I believe his—in March 1993, the League of Families had asked for some documents and information that they wanted. Well, when we went on the Presidential delegation, we reinforced that and they did receive some of that information.

Also, we did get a letter from the Prime Minister of Vietnam, Vo Van Kiet, which was addressed to the President pledging that they would continue this effort; and it was back during the time when there was a discussion whether there would be any normalization or moving forward or not. And he mentioned that they would, regardless of what happened, they would continue their effort to try to help us solve, as they put it, a humanitarian issue. They see this as a humanitarian issue, to help us account for our missing.

Mr. PICKETT. Do you feel you have availed yourself of all of the relevant intelligence data and materials that would assist you in asking the right questions, because if you don't ask the right question, you are not likely to get the answer that you are seeking.

Do you feel like that you have assembled all the relevant intelligence information necessary to make inquiries?

Mr. GOBER. From my perspective, the analysts and the people that really get into the case by case and do the indepth work, are

the ones that do that, working with these teams. What we do at our level is get an agreement that they will cooperate on certain issues and then we turn it over to the working teams.

Mr. WOLD. If I might add, Mr. Congressman, the comprehensive review which we have completed did take into consideration all of the evidence, such as you mentioned, all the intelligence evidence, and everything that we have available to the U.S. Government since 1975 was built into this comprehensive review.

Since the formal review was completed on July 21, there have been approximately—I think I indicated approximately, as a result of joint field activities and any other reports and information that we may have, additional information concerning about 300 individuals that have now been factored into the progress. We will continue to do that.

As we get information, whatever the source, whether it is in national technical meetings or all-source intelligence, any of that data from the field operations, we will continue this dynamic progress of factoring that into our current analytic products.

Mr. PICKETT. Final question.

How long, after your visit, do you begin—is it before you begin receiving the data and is it all delivered at one time? Or is it delivered over a period of time?

Is it like a bell curve, it starts out slow and builds up and then tapers off? How do you get the information that they are going to provide you with?

Mr. GOBER. Well, we do several things. First of all, we encourage them not to hold information back and wait for a Presidential delegation or any delegation to come. We encourage them to turn the information over to the Joint Task Force for Full Accounting immediately so they can begin the investigative progress.

Jim, you get most of the documents, so why don't you—

Mr. WOLD. Well, I am speculating here, but I think that as we present these cases now and the cases which I will be presenting to them as individual actions for them to take the next steps, I would expect that some of the cases may be easy for them. And again, I am speculating. But we may get results back in a very short time on all of this, as to the next step.

The joint activities, they are tied to, as you know, the work plan and the joint field activities which take place about every—we are doing about five a year now, lasting from about 30 to 32 days. But as those joint field activities are completed, we know immediately as we go through that process, particularly if it is an excavation, whether we are getting results from that particular excavation.

The recent offshore excavation on the helicopter off Ko Chang Island in Cambodia is a good example. General Viale called me a few days into that operation and was told me that they were getting remains in excellent condition. The archeologists were extremely confident of the results, the ability to identify these remains. That kind of information gives us a ready means of assessing progress as we go along.

Fragmented remains from a crash site in Vietnam, before it goes into a mountainside, is scattered down the hillside; those are tougher and it takes longer.

Mr. PICKETT. More specifically, how long will it be after your visit that you think you can make a reasonably accurate assessment of how successful you have been in getting additional information?

Mr. WOLD. Well, as I suggested a few minutes ago, the jury is still out and will be. And I think we may be looking at, with respect to some of these cases, a relatively long period of time, but we are going to work with these governments. I will be visiting there periodically, together with the operators, to look at the policy results, as well as the joint field—as well as the operational results.

I would hope that within 6 months we are beginning to see some very concrete results in terms of next steps on many of these cases. But I want to caution us all, it is going to be longer than that for the full process to unfold. In Laos, we do about three recoveries per joint field activity. We do about six of these a year. That means 18 remains may be recovered in the course of the year.

We have 462 cases to go—unaccounted for in Laos. Many of those will come out of joint field activities. So just simple mathematics tells us that we are in for a long haul in Laos. And that is not because of any lack of cooperation on the part of the Lao. They have demonstrated, in many ways, very good cooperation.

I am nervous about using superlatives or adjectives, but from my perspective as the Director of DPMO, I would categorize their—the cooperation as very good. They upped their routines—their capability for joint field activities by 30 percent last year. They followed through on their promise that they would do that, so we went from 30 to 40, which is a significant contribution on their part.

They have limited resources, becoming more and more sensitive to that fact. They have been very flexible in allowing the commanders on site to suggest changes where changes have been warranted. They have allowed us to use TAXAD communications to facilitate movement between sites and this flexibility in the field.

We have an excellent program of the MEDCAP teams working with their civilians. Overall, I would just want to stress that we have areas where we are going to continue to push hard with the Lao, specifically archival research and the oral history program. We will continue to do that, and our expectations are that we will see progress in that area.

But I use these numbers just to illustrate that it is going to be a long process in Laos where we are relying on joint field activities to provide results.

Mr. PICKETT. OK.

Thank you, Mr. Chairman.

Mr. DORNAN. I have what John McLaughlin calls on his weekend talk show, get away questions. Have you ever read, Secretary Guber, the RAND report on the French experience?

Mr. GOBER. Yes, sir.

Mr. DORNAN. OK. Let me, just for the record, to finish this, I want to put in a couple paragraphs from that.

Conditions attached to the continuation of the program, French remains, and the costs involved, have continued to escalate over the years in an unpredictable and unreasonable manner, about the opposite of the description “very good”.

In addition to exorbitant fees for exhumation and regroupment, which it is not permitted to verify, the French Government pays millions of francs annually for the upkeep of the French cemeteries in Vietnam. American officials who visited the largest of these in 1973, our pull-out year, 2 years before the collapse to communism, reported that they were overgrown—I saw this myself—with weeds, headstones falling.

An article published in a French news magazine in July 1982, this is 2 years after Lester Wolff was defeated and we had had many hearings, including the mortician in 1979; it illustrates Hanoi's lack of humanitarian motivation and its insatiable appetite to obtain financial gain from its control of French remains.

According to the article, the Vietnamese Government is urging the French authorities to repatriate these remains, take them to France. The French Veterans Ministry estimated the cost of returning the remains to France at 1,575 francs per set of remains, a total of 63 million francs. But according to the news article, this estimate does not include the cost demanded by Hanoi for the exhumation, the transportation, and would bring the costs of the entire operation to several billion.

And here is more or less the close of the RAND report: Despite the substantial political and economic concessions the French have made to Hanoi since 1954—this would have been four decades almost when this report was written—France has never received a full accounting for its missing and dead. Hanoi's actions clearly demonstrate that its only interest in the French military graves in Vietnam and the request for remains by the families of the deceased is in the economic and political benefits that the Vietnamese Government can derive from the control of these remains.

Gentlemen, this Member of Congress finds that nothing has changed.

If I could also put in the record a statement that Ambassador Lord volunteered to Senator Daschle at the end of the Senate hearings a couple of years ago, he said: May I add something, Senator? And Senator Daschle said yes. And then you, Secretary Lord, said this touches on the general problem we had with Laos and Cambodia in negotiating this agreement. Hanoi wanted to maintain the fiction that it had no control over its friends in those other countries. They were always sovereign governments, I add, which the U.N. seat, which Vietnam coveted.

In respect, with respect to Cambodia, that turned out to be largely true. In fact, Vietnam invaded Cambodia a few years ago when they clearly didn't have control over the Khmer Rouge and some of the other elements. But they certainly had control in Laos, so our dilemma was to try and make this agreement as airtight as we could through Indochina, including on the POW/MIA issue.

I know your dedication remains as intense now as it was then. Let me remind all of you that Mr. Clinton did use the word "fully" to families. You are all aware of that. You have all said it yourselves.

I am going to try to go to follow-up your trip, not necessarily as I did with Ambassador Godly to retrace Congressman McCloskey's steps, but to answer, as a Chairman, to the families that I have known for, in some cases, 30 years and some as friends.

I just have one technical question.

General Wold, what do you think—have you ever worked this out—we pay per Laos operation; \$100,000, \$200,000, \$300,000 per—like the visit to Lima site 85, a couple of hundred thousand to put all of that together?

Mr. WOLD. I can't answer that specifically, Congressman Dornan. But perhaps I can put it into some perspective. The helicopter bill for the JFA, which covers a 30-day period, runs about \$450,000. And then you have the other costs of paying the indigenous people who come up and man the bucket brigade, and fuel costs of our own troops, and medicine and things like that.

Mr. DORNAN. That is the most courageous act on the part of your people, getting on those Russian helicopters. I have done it around the world. I have done it—flown my people around. They aren't as good as the Russian people—I know the maintenance is not up to American standards. It is dangerous and it takes some personal courage, and your teams are great.

So I will be going there to followup. I don't know who is going to go with me. I have a lot of Members that have asked to go. I am afraid Bosnia is going to interfere. I do want to go to Tuzla and look at our men and women in the field there.

And I hope you understand that when Jessie Jackson, Jr., was sworn in, I went up to introduce myself, he said, I remember you coming to my home for dinner with Daniel Ortega, El Presidente.

I talked to the other side. I thought he was a Communist and guilty of a lot of crimes, including murdering my friend Enrique Bermudez, shooting him like a dog in the street, after it was supposed to be a peaceful settlement. And I told him, yes.

And that is when Jessie Jackson and I joined forces over the hostage crisis in Lebanon. And I went over alone to sit for 1 hour and 20 minutes with Hafiz Asad, shortly after he had murdered 10,000 people in the city of Hama. I played the diplomatic game. And he followed me to the door and said, you will have word in 2 weeks on one of the hostages.

And within 3 weeks, the Catholic priest was released from Lebanon who had been a captive for 3 or 4 years. And when he arrived here in the United States, Jessie Jackson and I both greeted him at the airport as he arrived in his home area of Illinois.

So I do have a rescue syndrome and I am proud of it. My dad and mom gave it to me and if anybody goes missing in Bosnia, we will all be there together trying to figure out who has them, why, and we will not give up hope as we did briefly with Scott O'Grady and for 105 days with those two handsome French allied fighter pilots.

Gentlemen, I have nothing else. Thank you for coming this morning.

I am sorry it has taken so long. Please understand my 30-year interest, compounded by 10 years on Korea, that makes me a little bit loquacious on this.

Thank you very much.

Mr. GOBER. Thank you, Mr. Chairman.

Mr. DORNAN. And will Panel No. 3 come forward.

Garnett Bell, former Special Assistant for Negotiations for the Commander of the Joint Task Force for Full Accounting; POW fam-

ily members, Carol Hrdlicka, wife of Col. David Hrdlicka, U.S. Air Force; Kathy Borah Duez, sister of Lt. Daniel Borah, probably carried as a captain by the time this was all over on the Navy, books; U.S. Navy, David Morrissey, son of Maj. Robert Morrissey. Probably that rank was shoot-down rank and not final rank, U.S. Air Force.

Kathy, is that Duez—

Ms. DUEZ. Yes, it is.

Mr. DORNAN. My staff helped me with that.

I wanted to make note of something that I just learned the other day about Mr. Bell's personal history. I was mentioning to Al Santoli on my staff the dangers in the Bosnian area with just weather and plane crashes, that we are also hoping that God is good to us with operational accidents, and I mentioned the ultimate tragedy in the closing days of Vietnam.

A brand new C-5 with a cargo door problem crashed with dozens of young babies that were to be adopted in this country, and Al told me your wife was either in Vietnam or on that aircraft. Was she on the aircraft?

Mr. BELL. Yes, sir.

Mr. DORNAN. How many babies were killed? How many people died in that C-5 Galaxy crash?

Mr. BELL. I think there were somewhere around 140 casualties.

Mr. DORNAN. And how many survived with your wife?

Mr. BELL. My wife didn't survive. I lost a wife and a son. She was just a volunteer worker. She was there as an American dependent.

Mr. DORNAN. Pull the mike a little bit closer to you, please.

All right. You have all been introduced.

Mr. Bell, if you would start. Please, would all the witnesses stand.

You are the folks I do this for. I noticed it jolted some people earlier. Let me find the formal document among my copious documents here.

There we are.

[Witnesses sworn.]

Mr. DORNAN. Your name was discussed, Mr. Garnett Bell, as you well know, I have shown you the testimony from before and if you want to make any reference to statements attributed to you about one incident in the central highlands or have a written statement that you wanted to submit or read, the platform—the witness table is yours, please.

STATEMENT OF GARNETT BELL, FORMER SPECIAL ASSISTANT FOR NEGOTIATIONS FOR COMMANDER, JOINT TASK FORCE FULL ACCOUNTING

Mr. BELL. Mr. Chairman, with your permission, what I would like to do, since I have testified before, before committees of both the House and the Senate, I would like to have the written statement submitted which provides you with an overview of my involvement in the past with POW/MIA's and why I hold the views that I do, and then respond to questions. I would also like to touch upon the mortician's testimony and the Baron 52 incident, which I believe was raised in a previous hearing when I was not here.

Mr. DORNAN. Proceed.

Mr. BELL. First of all, Mr. Chairman, I think one fundamental issue that all of us need to understand, those testifying, those on the committee and those doing the investigating nowadays, is that the POW/MIA issue really has nothing to do with the Vietnamese people. It also has nothing to do with the Vietnamese Government.

It is controlled entirely by the Vietnam Communist Party. It has been controlled by the Communist Party since the late 1940's, early 1950's, when they began their present *modus operandi* with the French. Generally speaking, live——

Mr. DORNAN. Right off the bat, Bill, I have to ask you to pause for a second.

Mr. BELL. Yes, sir.

Mr. DORNAN. I think people in this room noticed, as I did, that none of my three witnesses used the word "Communists," except once. Correct me if I am wrong. And that was when the distinguished Deputy Secretary of Veterans Affairs said, in reference to a human being, that he was the Secretary General of the Communist Party. That was the only time I heard the word "Communists."

Did anybody hear any other references to Communists? And that is one of the big divides between our distinguished witnesses on the prior panel and myself.

I can't separate myself from the fact that there is not going to be any elections in Vietnam in the foreseeable future and that they are Communists and there haven't been any elections in Castro's Cuba, their big hero who just toured there. So it's refreshing to hear someone use the word "Communists" in the beginning of their prepared remarks.

Proceed.

Mr. BELL. Yes, sir.

Generally speaking, live prisoners, according to Communists doctrine, live prisoners are used for political concessions, whereas remains are used for economic concessions. The Vietnamese have a long history, as I said before, going back to the late forties, early fifties. You have already mentioned some of the French experience and some of the exorbitant amounts that the French Government has been required to pay over the years.

Basically, the organizations within Vietnam dealing with prisoners in the beginning—beginning with the involvement of the French, were modeled on the Soviet model and the Chinese Communists model, which included a military proselytizing element and an enemy proselytizing element.

Both of those organizations are controlled by the party Central Committee. The enemy proselytizing element has been more concerned with tactics and technology, in other words, exploitation of prisoners for tactics and technology, whereas, the military proselytizing has been concerned with strategy and propaganda purposes.

If we look at the records that have been available to our government recently, which have brought about claims of superb cooperation, and compare them against the data base that we were able to capture during the war, we can see that the documents fall far short of our expectations.

We have, in our National Archives, what is called the CDEC collection, which are captured enemy documents taken during the war. Obviously, those documents would not be available to researchers today in Vietnam or could not be provided by the Vietnamese Government unless they were copies. But——

Mr. DORNAN. Could you break that acronym for me, CDEC?

Mr. BELL. Combined Document Exploitation Center.

Mr. DORNAN. Where are they located?

Mr. BELL. The files have now been transferred to the National Archives here. They were located in Saigon up until 1975; 1973 was the last U.S. involvement, except as in an advisory capacity.

Mr. DORNAN. Is that from every war?

Mr. BELL. That is from the Vietnam. I'm not sure about Korea.

Mr. DORNAN. You know, those are very controversial documents sometimes. You know we have the archives.

Mr. BELL. Yes, sir, we have the archives. These are——

Mr. DORNAN. There were the most brutal Japanese experiments on living human beings from which, in the most evil of circumstances, there is some medical benefit and also from German concentration camps. And Jewish theologians both American and European have argued for decades over whether they should be released to at least not have the deaths wasted, to see if there is some medical value to extract, as opposed to the other side of the argument, which I go along with, that you have to destroy information extracted in such a Satanic manner. So archival evidence can be very, very controversial left over from a war or a conflict.

Go ahead.

Mr. BELL. And the point that I think these documents serve to make is they are a good representative sample of what the Vietnamese should be able to produce today, because they are authentic Vietnamese language-type documents.

We also have in our files—I know our Government maintains the position that we really do not have any information correlated to specific individuals which prove that Americans were left behind. We do have in Government files some 15 volumes of uncorrelated reports. Many of these reports concerning live Americans are very brief in detail, do not contain enough detail.

For example, a source might say that he saw two American prisoners who were captured in Vietnam and moved to Laos, and he saw them in March 1970. He would not go into enough detail as to whether or not those men were there when he arrived or whether or not they came there after he arrived at the area; whether they were still there when he departed the area or whether he departed the area—they departed the area prior to his departure.

Physical descriptions, tattoos, similarities in height, stature, rank, insignia, name tags, many of those reports are very vague. This is why they were never correlated to specific individuals.

Since we have peace in Vietnam and since the Vietnamese are cooperating superbly, I cannot understand why we have not gone back to the original sources on these reports and recontacted them for additional details so that we can correlate them to the Americans who are missing. As far as I know, this has never been done.

Mr. DORNAN. With or without amazing computer skills and advantages today, but there has been so many expensive man hours

put into this and it is so delicate and sensitive, and should be, with such respect for our families, I don't know why we don't have the manpower to go over this carefully page by page, without running it through a computer to see any similarities.

Mr. BELL. What I am referring to are reports where they give a description or where we have men who were lost in that area, but we cannot correlate it to a specific individual because we don't have the man's fingerprints. We don't have his name. We don't have a photograph of him. But the report may very well be credible.

And I see no reason now why we could not go back to those reports, identify the sources, with an agreement from the Vietnamese that nothing will happen to these individuals for providing the information. Because if they are really cooperating superbly, as our Government claims, there should be no problem in doing this.

Also, I noticed that when this task force was formed back in 1992, what we called at one time the Refugee Interview Program was abandoned. I think this was a mistake, because out of the discrepancy cases, we are told now that the list is down to some 55 cases.

This does not have any correlation or association with those discrepancy cases, last known alive cases in Laos, because we had over 305 individuals who were last known to be alive at the time of their loss. The 55 remaining cases refers only to 196 cases which were in Vietnam. In other words, it has nothing to do with the Lao cases.

Out of those 196 cases, which our Government says is now down to 55 cases, only 25 of those 196 cases have been resolved with the recovery of remains, recovery and identification of remains. That means the majority of those cases——

Mr. DORNAN. What was that final figure?

Mr. BELL. Twenty-five.

Mr. DORNAN. Twenty-five?

Mr. BELL. Have been resolved through the recovery of remains. That means the majority of those cases have been resolved on circumstantial evidence.

Circumstantial evidence, for the most part, has consisted of witness testimony from witnesses who are prepared in advance and introduced by the Vietnamese Government. And this is, in some cases, years after we have already provided all of the information that we know about the case to the Vietnamese in advance, before our investigators even reach the area.

The advantage we had with the Refugee Interview Program is if we investigated a case on the ground and we received testimony from a Vietnamese witness under the control of the Government, we could go to a refugee camp like Hong Kong where you have 30,000 or 40,000 refugees and seek out people who came from the same area and get their testimony and compare it against what the Vietnamese introduced, arranged witnesses gave us in the field.

Therefore, like I say, I think it is a big mistake for us to drop that program for several years and keep on repatriating all of those sources back to Vietnam, where after they have been repatriated back, they will also be under the control of the Vietnamese Government.

Today, we also touched on the subject of going anywhere in Vietnam. I do not know of any live sighting case that has ever been investigated where we did not provide all the information to the Vietnamese far in advance and also the investigators were accompanied by Vietnamese security personnel.

Mr. DORNAN. Mr. Bell, could you just pause there for a second?

For everybody visiting in the committee room, for my distinguished colleague, Mr. Pickett, for me to analyze for the 100, 200, and 300 time, we give advance notice to the Communists in Vietnam that we have live sighting reports at such and such a location, weeks, if not months in advance, and then Senator Kerry will go to that site as though it is somehow or another a spot congressional investigation of a United States prison where there are alleged human rights violations—no, as though it is Geraldo Rivera going into an old people's home decades ago that put him on the map and won him journalistic awards. Here we are, show us your senior citizens.

It is a planned Potemkin tour, where it would be impossible for the Vietnamese to say: OK, you got us. This is the only live American left in Vietnam, and gosh darn you, you picked the right prison on the right day. Let's go up there. It is a 3-hour helicopter flight and you are going to find him. This is absurd.

And yet you read it in articles published in Government publications and given out to the news media, that we are making these onsite, you know, rapid investigative hits. And General Wold is dutiful in the way that he stays through these long hearings and takes notes.

And this, General, is, again, something that we have got to convey to the families that we are not being snookered, you know, or that we are not conveying that we are making excellent surprise raids to nail down anywhere in the country these live sighting reports. It creates such angst and proper hurt among the family members.

I just wanted to underscore that and maybe we will never have to visit that again.

Continue, Mr. Bell.

Mr. BELL. Our testimony, during the last hearing that—I think the figure used was 1,706 live sighting reports have all been investigated and there is no evidence that any Americans were remaining or are remaining in Vietnam.

I don't think that that meant that these 1,706 reports were investigated. I believe approximately 100 reports were investigated and the other remaining some 1,600 reports were reviewed and found not to have merit for warranting an investigation.

The 100 reports which were investigated on the ground, the information was provided to the Vietnamese in advance. The Vietnamese security officials did accompany us to prisons. We were told that no Americans were in any of those prisons, or sighting locations. And our Government does have information that indicates Americans were actually held there.

I think this was a good opportunity for the Vietnamese. The example that you cited earlier where Senator Kerry went to the prison, where the man was moved out 1 day prior to his arrival and 2 days back, I think had they left that man in there during Senator

Kerry's visit, it would have had much more impact and been much more convincing as far as their sincerity and objectivity in conducting these investigations.

For the same reason, I think had the Vietnamese turned records over to us in prisons where we know Americans were held, for example, Americans we know were stranded in Saigon in 1975, Tucker Googelman is a good example, other prisons in the area where Americans were held until 1976, and finally released, or prisons where American tourists have been arrested and held since that time.

Had they shared those records with us, I think they would have increased their credibility with the family members and veterans alike.

The oral history program that we began back in early 1993, which I began myself and did several interviews, I think that program now has actually missed the great potential that it had in the beginning with many sources who would have provided us information.

I went to Vietnam when the interviews were being done, after the new organization under the task force. I saw cases where Vietnamese cadre, senior cadre and, in some cases, retired cadre, and I have tried to emphasize this before, the man would come for an interview and he would have on a white long-sleeved shirt. That shirt might be torn and mended, long pants. He might have a patch in his pants which was constructed from a different type of material, but nevertheless, his clothes were clean and pressed. He was in a presentable appearance.

He might be 60 or 65 years old, a retired regimental commander, or whatever, but the man realized that he was representing his country and he was there to give his testimony about the American cases that he knew, or because he was asked to come there.

When you have a situation when you have a young serviceman, 22 or 23 years old, wearing shower shoes and jogging shorts and a tank top interview—conduct interviews on cadre such as this, oral history interviews in an Indonesian culture, an Indonesian Communist culture, the results are, I think, predictable in advance.

I think our oral history program needs a lot of change. I think veterans to veterans, people who participated in the Vietnam war, should be over there interviewing these cadre concerning incidents that happened in the Vietnam war. I think that is the only way we will ever establish rapport and get any cooperation on the part of the Vietnamese.

Mr. DORNAN. Mr. Bell, you were in the room when I talked about the first American smashed in the face during interrogation by an enlisted man. This is sort of the flip side to that, an Air Force major saying I am not going to talk to you, I am an officer. Get me an officer and here comes a regimental commander and colonel who, by the way, without knowing their personal background, I do not consider a Communist war criminal, but a commander fighting in the field, and he comes into a room and sees someone described as you do, and normal reaction is to say, I'm an officer. I am my country's military. Who are you, son? Get me an officer or someone dressed like a diplomat to interview me. And you took steps to correct that while you were there.

Mr. BELL. Yes, sir. Some steps were taken, but to this day I think the oral history program has been conducted and is being conducted by people who never even served in Vietnam during the war. I think that is the wrong signal to send to the Vietnamese. I think we should match their level of experience.

I know it is hard to do and, in some cases, we won't be able to because they have people that have been working in military proselytizing and enemy proselytizing for 50 years. We can't do that. But we can do the best—much better than what we are doing.

Mr. DORNAN. What were your first years in Vietnam?

Mr. BELL. 1965, sir.

Mr. DORNAN. You are a very young-looking man. Don't tell me we can't put advertisements in military magazines and ask for people who may be retired and looking for something to do, that they couldn't go over there with Vietnam combat experience, sometimes in all four Corps areas, to respectfully interview fellow combatants.

Go ahead.

Mr. BELL. Today we also touched upon the Baron 52 incident. I recall that back in, I think it was December 1992, we had testimony from the DPMO analyst who came in during the Senate select committee hearing and testified on the Baron 52 incident. The same opinion was given then that came out in the comprehensive review, when I think all the men were just recently declared dead and are going to be buried in a group burial.

The reasoning that was given back at that time was that the signal intercept probably pertained to Vietnamese that were captured. Also the signal intercept, the time that it occurred was so quickly after the aircraft went down, and the distance so great that the men could not have been moved that far for the report to have been transmitted from Vinh and also because the aircraft went down in Laos.

There are several comments I would like to make about the Baron 52. The first one is, the same analyst from the DPMO who testified that the aircraft couldn't—the men could not have been moved that far when the signal was transmitted from Vinh also related to a personal anecdote where he had placed a tape recorder on a wire running from South Vietnam across the DMZ into Northern Vietnam and recorded some traffic off of that wire communication. If you look on U.S. maps of the area where the Baron 52 aircraft went down——

Mr. DORNAN. Which direction did that wire go?

Mr. BELL. From the south to the north, across the DMZ into the north.

Mr. DORNAN. One of the many electronic wizard moves we tried to make?

Mr. BELL. Yes, sir. And this is the same analyst who said the transmission couldn't have been emitted from Vinh. But if you look at U.S. maps of the area, around the Baron 52 site—where the Baron 52 aircraft went down, on the U.S. maps you will see electronic power transmission lines listed on those maps.

The cartographers who made those maps at the time were not aware that there never were electric power lines in that area. What they saw on the photographs and what they recorded as transmission power lines are actually wire communication lines. And the

Baron 52 went down in an area where they have military stations which were called Vinh Trams by the North Vietnamese and they definitely had wire communications.

Within 45 minutes to, I think, the last report we saw this morning was something like 6 hours later, for someone to pick up a telephone and call Vinh on a telephone line would take only a matter of seconds. So to me that doesn't rule out the possibility that the transmission coming from Vinh pertained to those people.

Another reason I think it doesn't rule it out is because the area of Laos where the Baron 52 aircraft went down was actually under the control of military region 4 of the Vietnamese. And the headquarters for military region 4 was located in Vinh, where the transmission came from.

Also, some of the reports said the men did not have time to get out of the aircraft. According to the time chart that I saw, the Baron 52 reported receiving fire and then had radio communications 15 minutes later. They had another scheduled contact 20 minutes after that, which they did not make. To me, this tells me that those men had at least 15 minutes to exit the aircraft and may have had as much as 35 minutes to exit the aircraft.

The identification of those men was based primarily and possibly only on the fact that 21 v-rings from parachutes were found at that crash site, and I believe one dog tag on top of the ground. Three v-rings per parachute, so they have come up with—come to the—22 v-rings, I guess, and they have come up with the total number of crew having died due to those v rings.

We have already had reports, and we have had testimony right here from DPMO analysts, that they know sites have been manipulated, due to the presence of fresh green leaves being commingled with remains, which the Vietnamese alleged were buried since the incident, during wartime, some 20 years ago. So they know the sites have been manipulated. And I don't think it would be hard to toss a couple of v-rings and a dogtag on top of a site.

And when you have the lives of eight men at stake and a signal intercept saying four pilots or four bandits were captured, and I emphasize there "four bandits" normally refers to Americans. If they had been referring to Vietnamese, they would have said "four puppets."

And this type of case—what we do here is we lower our standards and we make it easier for the Vietnamese to deceive us, when we should be making it harder. We should be raising our standards every time—every time we detect deception on their part, we should be more cautious rather than less cautious.

The testimony of the mortician was also mentioned on several occasions. I think the last time one of the analysts said that I might have been presumptuous when I identified Mrs. Jane Duke Gather's son as being one of the men that the mortician saw. I would like to clarify that.

Mr. DORNAN. Please do.

Mr. BELL. The mortician provided some six items of information. In the beginning, when the mortician defected and went to Hong Kong, the DI was not sure that he was, in fact, a mortician. I got a call from the DI at that time and they asked me if I had ever, in my travels, working in Hanoi, beginning in 1973, 1974, 1975,

during that timeframe, if I had ever observed a man that fit that description working as a mortician and, of course, I had.

I found some photographs that I had of the mortician and I sent those to the DI and that is the way they were able to confirm that he was, in fact, a Vietnamese mortician such as he claimed to be.

After that, he was debriefed at the central identification laboratory by a forensic anthropologist and his opinion was that the man was a legitimate mortician. He provided six items of information. He provided information on the remains of the two Marines that were killed when the Communists violated the cease-fire on April 28, 1975, and attacked the DAO compound. He provided information on a black American who died sometime probably during 1975.

Mr. DORNAN. Those two Marines, as I recall, Senator Kennedy, who had, for obvious reasons, pretty good relations with Hanoi, was instrumental in getting the remains of those two Marines released, so we were able to countercheck that with what the mortician was saying.

Mr. BELL. That is right.

Mr. DORNAN. Correct.

Continue.

Mr. BELL. And he provided information on remains in other areas of Vietnam. He provided information on the remains of the so-called 24th man, who was buried with the died-in-captivity personnel in Hanoi. The fact is that he had removed the remains of the individual still in the seat from a B-52 aircraft off of the roof of the streetcar repair facility. We went to Hanoi with a Boeing tech rep. We located the wreckage. We found the seat.

The seats in a B-52 have serial numbers. We were able to identify that seat as being the seat of the navigator. The navigator turned out to be the 24th man.

I went to Hong Kong. I interviewed refugees who were witnesses when the mortician came there, when he removed the body. The mortician gave several items of information and they all checked out.

The only thing that I couldn't confirm was the identity of the three Americans that the mortician claimed that he saw. The mortician met with an OSI, Office of Special Investigations, composite artist of the Air Force, and made composite sketches of those individuals.

I looked at those composite sketches and I considered everything that the mortician had said. Once I confirmed that all of his information was accurate, I began to look at the post or precapture photograph of each one of our men who were missing. Because if the mortician's testimony is credible, which our Government agrees it is credible, they may not now but they agreed at that time under a different administration, if the testimony is credible, the men that the mortician saw must be in the photograph album. And that is the basis that I used to select candidates out of that photograph album as to who they might be.

I matched the photograph that the mortician or the composite sketch from the mortician with Ms. Duke, Jane Duke Gaylor's son, David Duke. And I have already explained to Mrs. Gaylor, and during my testimony at the Senate Select Committee, I have stated clearly that I could not possibly identify or positively identify any-

one from a composite photo. That was a candidate that I selected based on the fact the mortician said the men were jet aircraft mechanics working at the Dai Phuc airfield and there were two of them together. And based on the fact that Jane Duke Gaylor's son, David, was a jet aircraft mechanic, working at the Plei Ku airfield, and he disappeared with another individual only days before their tour ended under mysterious circumstances, then that only increased my view as far as the testimony being credible and that being the individuals that he saw.

I have those sketches here, I would like for the committee to look at, if they would. And I have copies to put into the record.

[The prepared statement of Mr. Bell follows:]

Testimony of Garnett E. Bell
Military Personnel Subcommittee
Committee on National Security
December 14, 1995

Mr. Chairman, members of the Committee, thank you for this opportunity to testify today.

I have previously testified before committees of both the House and Senate regarding this important issue. In order for you to properly evaluate my testimony, I would like to take the opportunity to brief you concerning my experiences with the Vietnam War and the POW/MIA issue. My involvement with Vietnam began in 1965 as I completed an area studies program which included language training. Later that year I entered the Central Highlands and participated in ground action against North Vietnamese regular forces. Many of my fellow soldiers were killed in action or became missing. One member of my unit, PFC William Ellis Jr., is still listed on the last known alive discrepancy case list today. Beginning in 1968 I was reassigned to collect intelligence on several subjects of interest to the U.S. intelligence community, including U.S. POW/MIA. These activities were primarily conducted at the Combined Military Interrogation Center, the National Interrogation Center, the National Defector Center, the Combined Documents Exploitation Center, the Combined Intelligence Center Vietnam, and the Combined Material Exploitation Center. Information concerning our missing men was transmitted direct to U.S. negotiators attending the Paris Peace Talks. Information was also transmitted to units of the U.S. Pacific Command responsible for rescue operations, but because the intelligence was never integrated with the experience and resources, and coordination with the State Department was so complex, those operations proved to be futile. I subsequently returned to the United States and at the time the agreements ending the war were signed in Paris, I was working as an instructor for the Survival, Evasion, Resistance, and Escape training program in the Jungle Warfare and Indoctrination Training Center.

At that point I believed that my service in Vietnam had ended. However, in February 1973 I was asked to travel back to Southeast Asia to participate in "Operation Homecoming". When it became obvious that Operation Homecoming would not result in a fullest possible accounting, I was asked to remain in Vietnam in order to participate in operations of the Joint Casualty Resolution Center and later the Four Party Joint Military Team tasked with implementing Article 8b of the Paris Agreements relative to accounting for missing American and Vietnamese personnel. By the Spring of 1975 I was responsible for conducting liaison with the Provisional Revolutionary Government (i.e. Viet Cong) and the Democratic Republic of Vietnam (i.e. North Vietnamese). We met frequently with the Viet Cong and North Vietnamese in continuing

efforts to account for our missing men, especially the more than 300 men who were last known to be alive, and who would later be listed as the so-called "discrepancy cases". At that time our government was in possession of reports indicating that some American personnel were still being detained by communist forces. Our government was also aware of the fact that our allies, the South Vietnamese, who had been involved in prisoner "swaps" where American prisoners were exchanged for communist prisoners during the war, had themselves secretly retained a relatively large number of communist Prisoners of War after the conclusion of Operation Homecoming. If you take a close look at this situation, where two communist delegations of high ranking officials were quartered at Camp Davis in Saigon with only the word of our negotiators that in the event of a collapse of the cease fire their immunity would be respected, reports that Americans were still being held by the security services of the southern political arm of the communist government in Hanoi, over 300 Americans last known to be alive with no explanation as to their fate, a precedent for the secret exchange of prisoners already established during the war, over 200 high ranking communist prisoners secretly retained by the South Vietnamese Government after Operation Homecoming, and the 50 year history of Vietnamese Communist methodology in dealing with the POW/MIA issue, you may be able to gain some additional insight as to communist motivation since the earliest stages of their negotiations with our government.

As you know, the cease fire did not hold and by early April 1975, the evacuation of the American Embassy in Saigon had already begun. I made my last trip to Hanoi on 25 April, only five days prior to the collapse of the Saigon Government. The terms for our withdrawal, as outlined by North Vietnamese officials in Hanoi, included a complete removal of the U.S. Defense Attache Office from Vietnam within three days. The same officials indicated that the future of the U.S. Embassy in Saigon would have to be worked out with the Provisional Revolutionary Government, and that the U.S. Delegation to the Four Party Joint Military Team must remain in place to complete its work on the POW/MIA issue, as spelled out in the Paris Agreements. Three days later communist forces attacked the DAO compound with captured U.S. A-37 aircraft and the ongoing evacuation was accelerated. At that point, the Vietnamese had returned to us only the remains of 23 U.S. POWs who died in captivity in North Vietnam during the war. I departed from Vietnam on the morning of April 30, 1975.

After an assignment with the Indochinese Refugee Resettlement Program I returned as the Chief of Operations in the Joint Casualty Resolution Center, working first in Hawaii, and later in the American Embassy Bangkok, Thailand. We maintained a relatively small manning level in the JCRC, but the organization was very productive since most of the members were seasoned Vietnam veterans, fluent in the languages of Indochina, trained as

investigators, and knowledgeable concerning communist methods of capture, evacuation, and detention of U.S. personnel. Another important aspect of the JCRC was that it had the capability to seek out Sources of information no longer under the control of the government of Vietnam. Information from refugee Sources in Hong Kong for example, had a correlation rate with specific cases of over 60 per cent. In other words, as we began to conduct investigations of specific cases on the ground in Vietnam and interview Sources "introduced" by the Vietnamese government, we also had the ability to obtain additional information which could expand on, confirm, or deny information gained during field investigations which were being managed entirely by the Vietnamese.

In May 1991 we opened the U.S. Office for POW/MIA Affairs in Hanoi. I had the honor of heading that office, which became permanent in November of that same year. We were diligent in our efforts to account for our POWs and MIAs, our standards were high, and in during the course of any of our investigations the benefit of the doubt always went to the missing man. Information on our men contained in U.S. case files was presented to the Vietnamese in a carefully controlled manner, as the investigations were being developed, rather than being released in its entirety far in advance. We were not confrontational with the Vietnamese, but we were strict in applying sound investigative techniques designed to insure objectivity and thoroughness at all times. Due to our hard work and straightforward manner we quickly earned the confidence of MIA family members, representatives of veterans service organizations, and the media. Although at times difficult, we also earned the professional respect of our Vietnamese counterparts. Our office was visited by numerous Congressional Delegations which not only expressed considerable interest, but also offered additional support. We replied to these kind offers by compiling a practical plan of operations which would allow us to simultaneously conduct investigations, forensic examinations, excavations, archival research, and oral history interviews while maintaining a manning level and budget which would neither stimulate or create misunderstandings on the part of the Vietnamese.

Our basic intent was to illuminate the important live sighting issue while at the same time focusing on the development of additional case leads to guarantee an increase in tangible results, rather than an increase solely in "activities". Concerning our estimate of Vietnamese cooperation, rather than acquiescence by the Vietnamese for increased activities, logistical facilities, administrative flights, meetings and supplies, our primary yard stick for measuring progress was the Vietnamese unilateral capability to rapidly account for a significant number of American personnel on a unilateral basis. We relied primarily on a detailed survey compiled by the JCRC and coordinated with the DIA. According to this survey, some 1485 Americans could be accounted

for without fielding U.S. teams. I believe our government considers this survey accurate because the two officers primarily responsible for compiling it were promoted to positions of even greater responsibility. One of them currently serves as BG Wold's Chief of Staff in the DPMO, and the second is currently the Deputy Chief of Intelligence in the Joint Task Force Full Accounting who will be present during panel three today. Our second document illustrating the unilateral capability of the Vietnamese was called the "DIA Records and Remains Brief". This high quality product published by analysts of the DIA spelled out in clear terms the degree of knowledgeability of the Vietnamese government concerning a large number of additional cases, especially those which could most likely be resolved by the unilateral return of U.S. remains. When presented with these documents, the Vietnamese were somewhat rigid, but nevertheless expressed interest in and understanding of the U.S. position. By early 1992 some 339 American personnel had been identified and returned to their loved ones here at home. This figure includes some of our men on the last known alive list who were located and recovered by my own investigation team. We gained access to some limited archival information and we further refined our plan to increase such access. We presented the Vietnamese with our plan for conducting an oral history interview program which was coordinated by the Senate Select Committee on POW/MIA. The Vietnamese ultimately accepted our plan and after personally conducting numerous interviews with cadre previously involved with U.S. POWs, I was surprised with the good results. Not only were the Vietnamese cadre willing to discuss the secret wartime prisoner swaps, they also provided a wealth of information concerning U.S. personnel who were captured and placed in the evacuation system. Those interviewed also identified party cadre currently in high positions who may be able to shed light on some of the important discrepancy cases.

In essence Mr Chairman, as of early 1992 we were beginning a process which could have led to the fullest possible accounting for our men. The possibility for improved relations with Vietnam, both political and economic appeared very real. The Vietnamese understood that we were determined to conduct thorough, objective investigations jointly while continuing to insist on tangible unilateral progress without being swayed by politics or personalities from either side. The Vietnamese also understood that we would not tolerate being charged exorbitant amounts for so-called "activities" or willing to pay large sums of cash into a special bank account for communist party elite. This situation changed dramatically when our office was disbanded and replaced by Joint Task Force Full Accounting. The budget was increased in order to cover the cost of increased excavations at sites already excavated long ago by Vietnamese security forces. Concerning emphasis on Vietnamese unilateral efforts, apparently subsequent to the DIA presentation someone at a high level within our government led the Vietnamese to believe that the documents outlining their

unilateral capability could be dismissed out of hand, with no further effort on their part. This situation culminated with the Vietnamese receiving praise for "absolutely superb" cooperation without them ever having responded to our request for rapid unilateral action. Concerning the important oral history interviews, in conducting research to support such interviews I had relied heavily on the POW/MIA historical files maintained in the U.S. Embassy Bangkok. Unfortunately however, although the initial interview efforts proved to be successful, the program was placed in the hands of personnel recently assigned to the Joint Task Force who never served in Vietnam during the war and the files in Bangkok were destroyed. Due to the assignment of an "Operations Officer", who in reality served a public relations role in the Hanoi detachment of the Joint Task Force, although actual results diminished, praise for the Vietnamese was described as "strong" and "unprecedented".

During my tour our field investigators at times relied on empirical proof, such as fresh green leaves commingled with remains "discovered" in alleged wartime grave sites in reporting Vietnamese manipulation. Our government has clearly established that live sighting investigations have been manipulated in both Vietnam and Laos, and even the Chairman of the Senate Select Committee was deceived. Nevertheless, the presence of parachute "D" rings and dog tags lying on top of the ground at sites excavated by the Joint Task Force have since been cited as adequate proof of death for group burials of entire air crews. In cases where information has been received indicating that some American personnel had survived their loss incidents, rather than logical explanations being demanded from the Vietnamese, U.S. officials have made excuses for them.

As you may be aware, praise of Vietnamese cooperation by newly assigned members of the Joint Task Force in Vietnam was apparently anticipated by U.S. policy makers on fact finding missions to the country. These reports of "strong" or "unprecedented" progress were quickly raised to the levels of "superb" and "prodigious". The result was that numerous concessions were made by our government to Vietnam in alleged anticipation of even greater progress. Unfortunately for the MIA families who have waited so long for honest answers, this progress has not materialized. In typical communist fashion, disparaging remarks have been used to explain this situation as "everything is relevant".

The move toward premature reconciliation with Vietnam has caused considerable concern on the part of MIA family members and veterans across the nation. Although at one point the aura of conspiracy surrounding our government's handling of the POW/MIA issue had begun to dissipate, the recent normalization of diplomatic relations and questionable resolution of cases has once again created doubts in the minds of many Americans. Further fueling the

suspicions of concerned citizens are reports of conflicts of interest of those involved in the accounting process such as the following: Claims that a U.S. Commerce Secretary has had secret business dealings with the Vietnamese Government; claims that a Special Presidential Emissary for POW/MIA and Humanitarian Affairs in Vietnam served as a member of the Board of Directors of a major U.S. Airline which received millions of dollars in compensation for transporting Vietnamese oil field workers from Iraq back to Vietnam during Operation Desert Storm, with the same airline being chartered by the U.S. Government to transport Vietnamese refugees on direct flights from Vietnam to the U.S. for resettlement here, and that the same airline is now negotiating with Vietnam for air routes to fly Vietnamese who resettled in the U.S. on visits back to Vietnam; reports that the Chairman of the Board of Directors of the U.S./Vietnam Trade Council served as U.S. Ambassador to Laos during the time that most of the American personnel now missing in that country were lost; reports that the current President of the U.S./Vietnam Trade Council has developed close ties with the leadership of the Veterans of Foreign Wars which was the only major veterans service organization to support the President's decision to normalize diplomatic relations with Vietnam; reports that a former Commander-in-Chief of the VFW will be rewarded for supporting the President's decision by being given a political appointment in the Veterans Administration; reports that a former Chief of Staff of the Senate Select Committee on POW/MIA was associated with the U.S./Vietnam Trade Council during the life of the Committee and who now holds a high salaried position in the Trade Council; reports that a U.S. Senator travelled to Vietnam in July of this year in order to clear the way for major American corporations to have access to Overseas Private Investment Corporation insurance, and the spouse of that same Senator is actually the President of the OPIC.

Mr Chairman, it is very difficult for MIA family members to understand why American businesses are lobbying for coverage under the OPIC, to cover their losses in the event that the Vietnamese renege on business deals, when at the same time they are asking the families to trust the Vietnamese in accounting for their loved ones. This simply defies all logic. I recall having read an article written by journalist Dan Rather, perhaps a year ago, describing how he was angered in Hanoi by a Vietnamese official who told him point blank that the Vietnamese were sure that the trade embargo would be lifted, because Americans will do anything for money. Reports of conflicts of interest such as those I just mentioned, if substantiated, could have a serious impact on the entire spectrum of U.S./Vietnam relations, including the POW/MIA issue. Our government has a significant amount of intelligence information available indicating that Vietnamese officials assigned to the wartime proselytizing effort, in other words Psychological Warfare and Exploitation of U.S. POWs designed to achieve the aims of the Vietnam Communist Party, have now been reassigned to duties

placing them in steady contact with the American business community. I believe that it is within the scope of this Committee's responsibility to attempt to determine just how much involvement the Vietnamese Intelligence and Security Services have had in manipulating the POW/MIA issue and removing it from the high national priority it once held. I also believe it important that the American people gain a clear understanding as to how and why our casualty resolution effort on the ground in Vietnam and the other countries of Indochina was restructured by the military leadership of the Pacific Command.

I understand that the DPMO has recently released the results of its comprehensive review of specific cases and that their assessment will be a topic of discussion today. As a former expert still dedicated to a successful resolution of the POW/MIA issue I have responded to requests made to me by the MIA family member organizations concerning this comprehensive review. I am currently in the process of conducting an independent review of many of these same cases. With your permission, and in the interests of brevity, I would like to enter into the record the results of my effort on three such cases. If after reviewing these assessments your Committee feels that additional cases will be helpful, I will make every effort to provide them to you.

Again Mr Chairman, thank you and the members of your Committee for this opportunity to share my views on this important issue. The work of your Committee can bring relief to many MIA families and at the same time restore the confidence of America's fighting men in our government's ability to meet the needs of their families should they fail to return from future wars.

Mr. DORNAN. If I were a lawyer, and I am not, if I were in a courtroom, and I am not, I would call a side bar, but that means they come to the bench. I don't know what to call this, but I wanted to ask Carol Hrdlicka a couple of questions in the middle of your testimony. Let's do it.

Have you ever heard this type of verification, Carol, slide that microphone over, of the mortician?

Ms. HRDLICKA. Well, I know Jane Duke Gaylor, and I know this whole case very well. And I mean to me, it looks like her son when you compare the pictures.

Mr. DORNAN. I meant more on the mortician itself. When did you first learn of this mortician? Remember in the twin room to this on what was then called Foreign Affairs, Lester Wolf, who I just bumped into on the House floor visiting and I haven't seen in a couple years? I mentioned his name this morning; and since the room was similar to this, it would have been over in this section here, unfortunately surrounded by screens. He was wearing a motorcycle helmet with a shield that came up and down. It was just all too theatrical, almost humorous. Unfortunately, his testimony was deadly serious. And that is why it was too bad I didn't criticize it at the time, but I didn't realize that some news media people would make fun of it, but this is—this is one of those things that has to do with the family, forget about respect, just trust of some kind, and credibility about people working the problem.

You have always had, I don't want to put words in your mouth, but ultimate respect for Bill Bell, and he was credible when he was in Hanoi. Have you ever gone to Hanoi yourself?

Ms. HRDLICKA. Yes; I went there.

Mr. DORNAN. And was Mr. Bell there when you went?

Ms. HRDLICKA. No; it was just last spring I went.

Mr. DORNAN. Right. But again, one of the problems I have had with this issue is I remember saying in 1979 and 1980, that everybody chosen to work on this problem, I don't know, if Anne Mills Griffiths were here, she would remember this, I said it more than once, should have a Sherlock Holmes personality. Do you remember my saying that?

Ms. HRDLICKA. Correct.

Mr. DORNAN. That they should be innately curious and always giving the benefit of the doubt as they talk to Dr. Watson to say, but wait a minute, could it be this?

And the other one, I don't remember exactly what I call it, the brother factor, that you had to pretend like a Stanislavsky actor that your beloved kid brother was a discrepancy case, you had to give an almost passionate belief that that is my son there, that is my brother there, and that is my dad there, and that if you could do that, and then have this natural, I remember saying Hercules Poirot, because he was on television, Orient Express type or Sherlock Holmes, that that would be the combination we were seeking. And I almost thought that Bill Bell fit that mold, and maybe some of our analysts, which we will find out later. But this is the good way to approach something like this.

So just to come back to you as a family member, if the mortician is, and the current word that I never heard of in this period, is vetted, background checked, I always thought we said given a FBI

check, vetted them, which has been maddening for the Clinton administration, especially their younger people, drug checks, all of that, they still don't seem to have vetted people, the way they were losing three U.S. Attorney General appointments in a row. But if he was vetted and he was what he said he was, and everything else jived, I have never heard this story of a B-52 navigator still in his seat on the roof of, what, a trolley repair facility?

Mr. BELL. A streetcar repair facility.

Mr. DORNAN. Streetcar repair facility.

And all of that makes sense. Why would he suddenly be debunked or ridiculed when it comes to this man? And I can remember him vividly, he is in his eighties now, this was 6 to 8 years ago, saying, by the way, I saw three Americans, Caucasians, he is not Vietnamese himself, he is ethnic Chinese; he knows different backgrounds, that I saw three Americans. Why wouldn't that be an unsolved valid live-sighting case? So you would agree with that, Carol—

Ms. HRDLICKA. Yes.

Mr. DORNAN [continuing]. That this man probably was telling the truth?

Ms. HRDLICKA. Correct.

The other thing I would just add to that is that you have to remember that he, the mortician, said that he put men—preserved their bones and put them in cases. Where are all of those men? There were over 400 men put in a warehouse. So when they tell you that they got 168 remains, ask them what are the remains. Are there bone fragments? Is that a tooth? Is that full skeletal remains? Because we do not have all of the remains out of that warehouse yet.

Mr. DORNAN. See, I believe Ron Dodge came out of that warehouse, so it is a difference between 400 down to what? And that is what I think Mr. Bell is an expert on. So please continue, Bill.

Mr. BELL. Yes, sir. The number of remains has been hard to pinpoint more recently. I know at the time when the mortician testified in Congress, he said he processed some 452 remains. I think that figure was further down to like 250 at one point—

The CHAIRMAN. What was it when you left Hanoi?

Mr. BELL [continuing]. That we are certain of.

Mr. DORNAN. What was it when you left Hanoi?

Mr. BELL. When I left Hanoi, the testimony that I gave before that was raised in the last hearing, citing me as having said that there is no warehouse in Hanoi, I did in fact say that I did not know of any warehouse in Hanoi today. And that is true. I don't know about a warehouse in Hanoi today.

The number of remains that the Vietnamese had turned back to us as of the time that I left Hanoi was somewhere in the neighborhood of 450 remains. I think it was 444, and it went to 458.

And the point that I was trying to make on the Vietnamese strategy was that when the mortician came out, the Vietnamese policy and their doctrine, their line at the time was, and until recently has been, that we have absolutely no remains of your men. Any time we find remains, because we consider this a humanitarian issue, we will give you those remains back right away.

Now the mortician came out and he said, we have had a program in place since 1964 where we have been warehousing and cataloging and photographing and putting numbers and cards. And, of course, we got remains back from the Vietnamese where a man would have two teeth from another man, who was lost 100 miles away in a different incident. So we knew that warehousing was going on. We strongly suspected it even before the mortician came out. But the mortician said that he processed 452 remains. The Vietnamese said he is lying, he is a fabricator, don't believe him. But after a period of time, they came to the conclusion that we really believed this individual and everything that he said checked out. So they had to change their *modus operandi* and give us 450 remains back. And once they gave us the amount of remains, approximating that testified to by the mortician, then they came out and said, yes, we were warehousing remains, but now we don't do it any more.

Mr. DORNAN. And?

Mr. BELL. The problem is, the number of remains they gave us back, even though it approximates what the mortician said, only half of those remains, approximately, are American remains. The rest are Asian remains. And out of all the remains we have gotten back so far, only 60 percent actually show signs of warehousing and storage. Unless that figure has gone up more recently, I don't think we have had any more warehouse remains in the last 2 or 3 years. During the Bush administration, like 1986, for example, we got a great number.

Mr. DORNAN. How about Reagan?

Mr. BELL. Reagan administration, we got seems like 145 and most of those were warehoused. And we have another source who was a defector, he defected to the U.S. side during the war years.

After the Communists took over in 1975, because he had defected, they arrested him. They put him out in a prison called Bot Bot where Arlo Gaye and other people were held. I think Garwood was there at one time. This individual climbed over a fence while he was being held and he entered a building. He saw remains on shelves, stored in plastic bags, and U.S. Air Force flight suits hanging up. He estimated the number of remains he saw at 600 remains.

Mr. DORNAN. How do we check and verify his credibility?

Mr. BELL. Well, we have tried. I mean, he passed a polygraph and further adding ability to his testimony, CILHI, the Central Identification Laboratory, received remains back with plastic adhered to those remains, the same type clear plastic that the man described.

Mr. DORNAN. You see, that is the Sherlock Holmes moment.

Mr. BELL. I went to that prison on a live-sighting investigation with one of the live-sighting investigators from DPMO; I accompanied him out there, and I went to that building that the man described and when we interviewed him and the JCR—

Mr. DORNAN. Just 1 second. Vis-a-vis Senator Smith's testimony about reversing maps and descriptive maps, when you went to that building, his description of the lay of the land and the buildings matched?

Mr. BELL. Yes, sir.

Mr. DORNAN. Perfectly?

Mr. BELL. Yes, sir. The building where he said the remains were being stored, which had a high fence around it and so forth, but the building had been repainted and completely cleaned out by the time we were there. And we are talking several years difference.

But I think the mortician, his testimony is good. I think the survey that the Joint Casualty Resolution Center compiled saying 1,485 remains would be possible, you know, based on their priority system. And the DIA record and remains brief, I think that is a valid document.

I don't know why both of those are being discounted now. I suspect that the reason they are being discounted is because someone in our Government does not want a yardstick to measure progress. They want to be able to say absolutely superb and prodigious and unprecedented and so forth, without having to back that up.

I think the Vietnamese at one point thought we were serious on this issue. And we were getting back discrepancy cases, last known live cases with identifiable remains, rather than just a tooth. But we went to the Vietnamese and we gave them briefings and we took a man over there who was an odontologist, forensic odontologist, and we told them on several occasions that we have a man here that can identify things on one tooth. And I think the Vietnamese took that as a hint.

I recommended at the time that we do not continue to do that. We should make them aware of the fact that we have a certain capability. I am concerned now that when we get into DNA, the Vietnamese might take DNA as a hint. But I don't think we should really stress that too much with the Vietnamese, about the one tooth and the DNA identifications.

When I met with the Vietnamese out in the field, on field investigations, interviews, and so forth, I tried to explain it to the Vietnamese like an investigation in our eyes is we want the live man back, we want his identifiable remains back, or we want a logical explanation as to why we can't have one of those two.

And if you take that logical explanation like a table with four legs, on one leg over here you have got partial remains and we may or may not be able to identify them, on the other leg you have what is known to us already in American files from American witnesses, such as the wing man or an American witness who was there and is already in our records. Then you have your circumstantial evidence which comes from witness testimony. Added to that, you have material evidence which may be the data plate from the aircraft or something that can identify that specific aircraft. But all of those will hold the table up. If you take one of those away, the table will still stand. If you remove two of those, the table will fall. And that may not be a perfect way to do it, but in dealing with people in rural areas who don't really understand our system, I think that got the message across to them. And we were in the process of making some more progress on many of those cases.

Mr. DORNAN. Because I had said earlier that General Wold is staying, and I used the word "dutifully, taking notes," here is one of the problems, and I could tell I was getting under Secretary Lord's skin, lecturing someone who is an expert on communism about communism. But the one thing all Communists do is lie. The

one thing all aggressors do is lie. The Bosnian Serbs lied about the two French pilots, told rotten lies, created a false story they were kidnaped, which led us to believe they were murdered, leaked out that they were even executed, put that in our face on September 10. And it turned out they were fairly well taken care of and except for not treating a broken leg, broken foot for the backseater, that will have to be worked on. Typical for Vietnam, they were lying.

Now, here is a Perry Mason moment that is too good to be true. Suppose the mortician had been a younger man, not a middle-aged mortician, which puts him in his eighties now. Suppose he had been a young mortician, and that he was 10 years younger than I am now, and he was a U.S. citizen now, and I as a U.S. Congressman could put him on my staff. And suppose I got permission from Mr. Floyd Spence to let him travel with me to Hanoi, and suppose they missed his background and his name at their Embassy, because they are overwhelmed with visas, not so overwhelmed they cannot stamp, what is it, da huy, cancel, cancel, cancel.

We were going back around July 4, imagine Bob Dornan spending July 4 in Saigon watching Senator Tom Harkin cry and hug the terrorist that he had released from Conson Prison 25 years ago, all at taxpayers' expense to the tune of \$420,000. I am glad I turned back my per diem. But suppose I showed up in Hanoi in February and I am sitting with these people that General Wold negotiated with and I said, excuse me, see this man right here, 50 years of age, he is the mortician, what are you going to tell me, he is a liar? He has passed polygraph tests. He is now an American citizen, and he is going home with me, but right now I want you to tell him.

What do they do? Get up and walk out of the room? Do what happened when Ambassador Adlai Stevenson at the United Nations said to the Communist Ambassador, who still says he is a loyal Communist today, on "60 Minutes" within the year, said that he yearns for the old days of Stalin times, and said I will wait here until hell freezes over. Here are the pictures of your missile sites in Cuba, and they are lying and they get caught and they go frozen faced? These are the kind of Perry Mason moments I am looking for. If they won't come around with advocacy lawyer questioning, General Wold, then we may have to trap them. And they will get this transcript and read it, so that opportunity is not going to come. They are getting sophisticated about how to work Capitol Hill.

But this mortician, because I tried to send Mr. Santoli down there—I think you were going to go, weren't you, Mr. Bell, to Georgia to interview him again? We have his transcripts from 1979. But why do all this to an 82-year-old man if he is believable and credible? We have got the evidence. So again, it is in my mind that this is a valid source. So when he says he has a live-sighting, he is different than your original Chieu Hoi or a person saying this is a live-sighting. I am surprised at him coming over to our side, that he wasn't one of the 68,000 executed in 1975, 1976, and 1977. Actually 1975 and early 1976.

Please proceed.

Mr. BELL. On the mortician, I think the mortician plus the other gentleman who saw those remains, passed a polygraph and had several other items that checked out, I think between the two of

those, and some other sources who saw smaller numbers of remains, I think we can say that there definitely was a warehouse.

We have aerial photography of a cordoned area in the back of number 17 Le Nam De prison camp where they had wooden posts and tar paper. And according to the mortician, that is where they were doing the remains processing. And we can see that in photos. So, you know they still have a warehouse, but it is not in Hanoi. I don't know where it is. I think it is probably out at the Dai Phuc airfield where their Forensic Science Institute is.

The CHAIRMAN. And if they read this transcript over at the Communist Embassy in the next few weeks, they will move it from that airfield. Because this is, in their culture, what they think is plausible deniability, like President Eisenhower over the U-2 crash, with Francis Gary Powers.

This is so frustrating, but I am going to press Warren and our other analysts later today. We have got to nail down this mortician with something other than the arithmetic reduction of the number through a shell game until we come up with about 20, dump it in their lap, and then, as General Wold cautioned us, wait for a long, long time, for I noticed you all nodding when he said that. And we are friends now, so I can be tough on him. As the Secretary said, isn't America great, that we can differ over Mr. Clinton that way.

So we are going to work this out. We are going to not let go of this until we get some answers so the families feel we have exhausted everything in the fullest way. And it may take another President, it may not. We will see.

Go ahead, Mr. Bell.

Mr. BELL. Yes, sir. I was going to summarize my opinion on the investigations by saying that we need to investigate these cases in the same manner as we would in Australia or Canada or England, with the lone exception being that we would not presume cooperation on the part of the authorities due to the long record of manipulation and deception.

Other than that, I think good, thorough investigations will bring results if we have patience, and the investigators don't have someone in the Washington level undercutting their position. If we back those investigators up—when we worked in the field when I was there, for example, if we went into a city or were going to a city that we had never been to before, and in many cases no Americans had ever been to that particular area of Vietnam before, we would go to a refugee camp and find people who used to live there, and we would have them draw us sketches, where is the museum, where is the military headquarters, where is the guest house, all the streets, and so forth. And we would be prepared when we got to that area for the first time and then we would ask the Vietnamese, we would like to visit your museum and check your archives. And we first began doing this back in 1988 up in the northwestern area, up almost to the Lao border. And the Vietnamese, of course, would say, we don't even have a museum. And at noontime or when the Vietnamese were down for their siesta, the next thing you know we are down at the museum, sidle up to one of the employees and say, you have a very beautiful museum here, we sure would like to see it, and the next thing you know, we are being invited in for some tea and 30 minutes later we are in the archives

taking pictures and photographs. And, of course, later the Vietnamese would give us more photographs of dead pilots on the ground and so forth. But we had to really show them that we were interested and really trying to get in there. Otherwise, we never would have gotten into those museums.

And the people who are there now are going to have to do that, and someone is going to have to back them up. Because if you have someone over there who stays on the Vietnamese and he is thrown out of there, or P&G'd or whatever, they need to tell the Vietnamese before he even starts, that if you throw him out, we are just going to put another one in there that is worse. And that is the only way you can do it.

Because now you have millions of dollars going into a bank account which is going only to a small number of people of high level cadre, and as long as we are paying just a few high level Communist cadre millions of dollars, we are never going to get anywhere in this issue. That is common sense to me. We should never have started doing that.

We are excavating crash sites that we know that the Vietnamese have already excavated. We have no shortage of refugee interviews where crews have gone in with power equipment and diamond-blade saws and metal test analysis kits and contracted with the local administrations of villages and districts and taken all of that metal out of there. The only thing that we might find now over there occasionally is a site that has been preserved only for the press, press interest. Other than that, what the Vietnamese professionals didn't excavate at the time of the incident, and I think I saw photographs here this morning of the intelligence teams regarding the data plates and collecting all the data, and everything that was there is gone except for just a few little scraps. And if we pay \$54 million a year to go back and dig into those little piles of scraps that are left, that goes to a Communist Party elite in Hanoi; it doesn't mean we are going to have a very bright future in this issue.

Mr. DORNAN. Did you testify in the Senate along these lines?

Mr. BELL. I touched upon the subject. I am not sure if I got that much detail. Depended probably on what question I was asked.

Mr. DORNAN. Pause just 1 second, Mr. Bell.

Do you know, just by nodding, did Mr. Bell get into this much detail in the Senate?

Mr. CARLUCCIO. No, sir, he did not.

Mr. DORNAN. It was not a friendly atmosphere, except for Bob Smith.

Mr. CARLUCCIO. It certainly wasn't his fault, time constraints. It was the last hearing, he testified; I think he was cut off on a few occasions.

Mr. DORNAN. For the recorder, because she probably wouldn't hear you, time restraints, Mr. Bell was cut off.

Mr. BELL. I was cut off, one thing, on the underground facilities. I know the people from the DPMO testified it would be impossible to have underground facilities because of the water table and some of them had ridden their bicycles around and were sure that there were no such facilities. Of course I had already seen the analysis of the photographs of the area where it was proven that there were

underground facilities. I had already, with my own eyes, seen air vents growing out of hedges and flower beds.

Mr. DORNAN. Air vents several feet across.

Mr. BELL. Good size air vents. The type of air vents that you see spaced out where you know something is linear underneath the ground.

And I think the chairman of the select committee at that time made the comment that they wouldn't need any underground facilities because the war had been over for 20 years. And the first thing I thought of at that time was, you know, we have never had a bomb dropped on the mainland United States but if the President had a Cabinet level meeting tomorrow, I am sure that there would be some kind of shelter nearby for people to go. I mean that is just—

Mr. DORNAN. Weather Mountain, it is not classified any more.

Mr. BELL. I am sure that is the same in every country, but there definitely are underground facilities all over Hanoi.

Mr. DORNAN. I have never been on the list to get helicoptered out there. Come to think of it, now that I am the chairman of two subcommittees, I am still not on the list to get helicoptered out to any of these big underground facilities. Maybe Mr. Pickett is; I doubt it. I visited them as a member of the Intelligence Committee and they were extensive, with lots of food stored and everything. I guess they have fallen into disuse now since the Berlin Wall came down.

But see if I may say so, this is part of the tension between the families and the analysts and the teams. And I would just recommend to our witnesses coming up that they try to develop the level of respect and collegiality that the families had with you. I am impressed with you.

Mr. BELL. Sir, I pointed out some things in my statement here that I get from family members when they call me. A lot of times they will call to have me look up things or they don't understand Vietnamese language or they don't understand an area of Vietnam, Laos, or whatever.

The CHAIRMAN. You not only speak fluent Vietnamese, but Laotian?

Mr. BELL. Pretty good in Laos.

Mr. DORNAN. So family members still write to you?

Mr. BELL. Yes, sir, and call. But what they have been concerned about lately is the pace of normalization. And they read stories about this Commerce Secretary and \$700,000 bribe, and then you see the stories in the paper. This creates a lot of suspicion. And then stories that the Special Emissary for POW/MIA is on the board of directors for a major airline hauling refugees out of Vietnam on the ODP Program and trying to get air routes into Vietnam. And the president—the chairman of the board of the United States-Vietnam Trade Council is an ambassador who served as Ambassador in Laos when most of their relatives became missing, and now he is the chairman of the trade council doing business with them for profit.

And you mentioned Ms. Frances Zwenig this morning. She was chief of staff of the Senate select committee. Now she is the vice president of this trade council.

Mr. DORNAN. Pause right there.

Mr. BELL. It just goes on and on and on.

Mr. DORNAN. Right.

All my analysts coming up, and General Wold, don't you understand how offensive this is to these families, that Frances Zwenig is in profit now with the Vietnamese and she was the chief of staff of the subcommittee under Kerry, who was demonstrating for Hanoi when I was demonstrating against Hanoi as early as 1971, April 23, to be exact?

This is hurtful to the families. And she didn't spend a few months under Madeleine Albright at the United Nations.

And then in my other capacity, I have to suffer people at the State Department giving top secret documents to the United Nations.

And then I am the first, only, and last Congressman to go over to Mogadishu—excuse me, my friend Jack Murtha was there a day before me, had a beautiful gulf stream to fly him down to spend a couple hours on the ground in Mogadishu. I hitchhiked down on a C-5, got a helicopter with General Garrison, flew over the missing-in-action sites, and took better Nikon photography than Time, Newsweek, or U.S. News, and put it on the House floor, and had the families call me and buildup a trust relationship.

We cannot have—we cannot leave this issue in the hands of the Francis Zwenigs of the world, or Tom Harkin or John Kerry, who worked with me wonderfully and used you to their end to end this issue, so we could press on with the people that they admired, the friends of Fidel Castro in Hanoi. We have got to bring this to some sort of honorable resolution. And something breaks down and I am confused by you earthlings that don't understand why the family members are so torn up by this.

So if I go to Vietnam, would you function as my translator? Would you come to—

Mr. BELL. Yes, sir, I would be happy.

Mr. DORNAN. Come with me as we almost did a year ago? No, it was last July 4, yes, last July 4.

Mr. BELL. One important point, I don't know if a lot of the people have picked up on, but back when we started the road map process and the move toward normalization, or began to talk seriously about it, many of the cadre who were involved in the exploitation of American personnel, such as the military proselytizing element, responsible not only for the exploitation of the personnel themselves but for propaganda and dealing with antiwar groups by Cora Weiss and so forth, basically trying to use the issue to influence public opinion, many of those people were transferred over to economic development. And they are the people now, these capitalists now are the same people who dealt with these proselytizing activities, are now in the oil and gas commission and the economic development commission of cities, and they are the people who are meeting with our business community.

Mr. DORNAN. You see, General Wold, this is sinful. I remember the year 1971, or 1972, I was in New York. I went to Eighth Avenue, Cora Weiss' address. The door was open; I slipped in; I went upstairs. She was all alone. She knew who I was from television appearances, and here she was in kind of an afternoon slanted

light through the New York windows there, putting mail into mail slots.

She turned around, saw me, was frightened at first. I said, "No harm here. I just wanted to meet you and ask you what gave you the right to psychologically torture our families and touch their sacred mail."

She said, "You have no right to question. We are the war criminals in Vietnam." I said, "No, you are a criminal, Cora. You are a criminal."

Did you ever get any mail, Carol? It is Laos. Did you ever get any mail manipulated by her? Most of the POW's I talked to did. And that is why this history—thank God Winston Lord isn't here to hear that I know more than he does about what was going on when he was at a lofty level with Henry Kissinger when what was happening down at the street level with Jane Fonda and this criminal manipulation of our heroes, some of whom were beaten to death in prison.

I saw you gulp, General Wold, when I described the beatings by the three Cubans of Maj. Earl Cobayle, because he was an Air Force brother of yours and a contemporary. Where are all these people that manipulated that program?

One more story. An Attorney General of the United States under Camelot, John F. Kennedy, Ramsey Clark, comes on my television show and tells me that our prisoners were comfortable, well taken care of. Here are the radio tapes, and they were all sitting around a table perfectly free to say whatever they wanted. Within months it was over; they were home.

I went to Westwood. They were going up to a party at Ronald Reagan's house when he was Governor, and I asked some of them who were in the room—I had their names—what was that scene like? They said there were men with rifles circling around behind them with the rifles at port arms watching them under a total control Communist intimidation scene. And Ramsey Clark, of Tehran fame, dared to say, without telling me, that these men were all free to speak any way they wanted. And that was as late as 1972. That was the summer of 1972 when they were driving this propaganda process.

Now these English-speaking experts were majors or captains or lieutenant colonels. Aren't they brigadier generals or civilian assistant deputy secretaries of something today? Do you see people that would tell you in Hanoi, "Oh, yeah, I remember the prisoners well. We would bring them down to this hotel here, give them the first candies and bananas and oranges that they have had in years and then photograph them for the American public and to help Cora Weiss break the back of the U.S. Congress on support for our effort in Indochina."

Did you ever meet any of these people who rose in rank in the Communist government?

Mr. BELL. Yes, sir. Yes, sir. They are still there today. I mean the central committee hasn't changed much, and the Politbureau, they don't have much of a freshman class in the Communist Party.

Mr. DORNAN. General Wold, this is what you are dealing with, the people who drove an excellent propaganda operation, Lenin style, and did an excellent job.

You can't believe the hypocrisy on the House floor last night of people who reversed their exact sentences on Desert Storm, and two of them who got up who were pro Hanoi, not Joan Baez peace workers, pro Hanoi college demonstrators, suddenly getting up talking about supporting the troops in Vietnam. Sam Johnson mentioned to me once, this is enough to make you vomit, to see this hypocrisy on the House floor last night. Unbelievable.

Mr. Bell, if you want to wrap up, I want to get to——

Mr. BELL. They have had some retirements, Mr. Chairman. They have had some retirements.

Lt. Gen. Tren Van Quand, the alleged author of the trouble five document, who is the former head of the proselytizing department and political commissar, has been moved over as head of the national veterans organizations to work with the VFW and American Legion VBA.

Mr. DORNAN. That requires a slowdown before we go to the witnesses. The man who was head of political proselytizing, like a king cobra seducing American leftists and pro-Communists, has now been moved over to welcome our VFW and American Legion people coming back to heal the wounds of war and embrace these people who whipped them in agitprop during the war.

Mr. BELL. Yes, sir.

Mr. DORNAN. What is his name?

Mr. BELL. Tren Van Quand, Q-U-A-N-D.

Mr. DORNAN. If we go over there, let's try and meet him as we follow the footsteps of our distinguished men going over there to get final and full resolution.

Carol, General Wold called me in a very respectful manner and asked me to please not release the analysis documents that he had given me to family members. He was properly concerned that the box of hundreds of remains he had brought over, respecting my request, that we might be releasing them pell-mell. I said I was sure it was only a handful of cases that Al Santoli, who the families trusted, three Purple Hearts before his 19th birthday, all separate incidents, and had written beautiful oral history books maintaining the dignity of our veterans and good company commanders like the Secretary, No. 2 man at Veterans' Affairs.

But you were one of the cases, and I told General Wold, "Look, my wife and I and Carol played bridge together; I flew with her husband, David; he was my wing man. I gave him his night check-out in a T-bird and showed him what Beverly Hills and Los Angeles looked like by night from the air."

He said, "I know; I am in a fighter squadron. We were close. We worked out at the gym together, altar boys together. We both decided—everybody ought to hear this; it is true—both decided we ought to come back for communion with our hands like a little altar boy. I told David this story years ago because the enlisted men thought we were the pro football players on that base. We were the quarterbacks. Everybody on that base, from the doctors and the engineers and the F-100 simulator, the best in the world, to the tickettaker at the base theater, they all were there to do one thing—launch us into the sky in the world's greatest and first in level flight supersonic fighters. So we were close to David."

I didn't go into all of that with General Wold, but I said Carol is a friend; of course I am going to give Carol Hrdlicka the documents and ask, "what does this look like to you? what have you been given?"

So that is the prolog to my question. What did those documents—and some of the other 10 or so family members, for example, brothers, sons, have made copious notations in the margins of the documents, and we provided them to the general, saying, "I never saw this before. Where is this? Here is what is missing. What does this mean?"

And this should have been done two decades ago, 20 years ago. That is what is frustrating to this Member and former Air Force fighter pilot. So tell me what you thought of the documents that we sent to you that General Wold's office gave to me.

**STATEMENT OF CAROL HRDLICKA, POW/MIA FAMILY
MEMBER, WIFE OF CAPT. DAVID HRDLICKA, USAF**

Ms. HRDLICKA. Would you like me to just make my statement?

Mr. DORNAN. Go ahead. I have your statement right in front of me. Read it, and I will follow along.

Ms. HRDLICKA. Like you would do a case.

Mr. DORNAN. Yes.

Ms. HRDLICKA. I will update everybody on David's background, and I would like to thank Mr. Chairman and the committee for having me here again today. I will just briefly outline David's case to you, because he was a well documented POW.

David was—

Mr. DORNAN. General Wold is going to track you, so this will be helpful for him, too, and his experts. And this B-52 pilot, who I can read his body language, is learning something that he didn't know from this testimony this morning, and it is an historical experience for him.

Ms. HRDLICKA. Well, the facts are that David was a known POW from the moment that he was shot down and lost his freedom May 18, 1965, in Laos, was photographed upon capture, and that photograph was widely circulated.

David wrote a letter to the prince, who—I am going to murder his name—Prince Souphanouvong, asking for his release in 1966.

David's capture picture appeared in the Hanoi publication Quan Doi Nhan Dan. This photo also appeared in the Soviet newspaper Pravda on August 31, 1966.

On May 5, 1967, a Laotian representative admitted that David Hrdlicka had been captured. Lao Communist officials claimed that United States pilots did not have legal status as prisoners of war because there was no declaration of war. Therefore, their acts were criminal.

I have a document—

Mr. DORNAN. Carol, precisely what the Bosnian Serbs said about the French pilots—criminals.

Ms. HRDLICKA. What is going to happen here is, you are going to have the same thing in Bosnia. The pilots that are shot down are going to be considered criminals, not prisoners. So you are going to have some more problems.

Mr. DORNAN. I don't think we are going to have anybody shot down, but we may have a helicopter force land, and we may have a man kidnaped on a patrol, and depending on which group or spin-off of a group it is, we are right back to Averell Harriman patting his pocket. David was one of the cases. And he said, "I am taking care of this matter right here." And I, as a reservist, was told they were not prisoners, they are detained by a hostile power. That is the first way David was described to you.

Ms. HRDLICKA. Correct, detained.

A Russian correspondent by the name of Ivan Shchedrov talked to David in captivity.

Mr. DORNAN. Never heard this.

Ms. HRDLICKA. Well, he did.

So as you can see, David was in the prison system and he was well documented; and I doubt very seriously that the Pathet Lao does not know or does not know what happened to David Hrdlicka or that they just lost him.

In a February 1994 memo, which I have a copy of here—and I am going to have all these documents put into the record, please, Colonel Schlatter—

Mr. DORNAN. Is that Joe Schlatter?

Ms. HRDLICKA. Yes—finally admits that report TDCS, that I have here that was in David's file, no longer can be correlated to David, yet this file is still included in the comprehensive review.

In my opinion, the comprehensive review is nothing more than the same DIA case that they have always had. They have used the same reports, and it is just a continuation.

And then there is another report that is TDCS314, so on, so forth—

Mr. DORNAN. Right.

Ms. HRDLICKA [continuing]. That shows Mr. Charles Trowbridge's signature as the analyst at the bottom of this report in 1966.

Mr. DORNAN. This is what I brought from the general at his office with his PR man and the aforementioned Air Force lieutenant colonel; it is just mindboggling to me that Charles Trowbridge over the years seemed like a nice man to me. How he could homestead—is the military word I use—for almost three decades in the same job, given all the vagaries of life, changing positions, it is just staggering to me. I never heard of such a thing. And then I heard that Paul Mather is back in the loop.

Ms. HRDLICKA. Exactly.

Mr. DORNAN. I know he sent a book to my chief of staff, and I always thought he was a nice man and totally unsuited by personality to be in the key job that he was in, and that was back in Bangkok in 1978 and again in 1979.

I said to him, "Paul, in your heart of hearts, fellow Air Force officer, do you believe we left anybody alive behind? Is it a possibility?" "No," he said to me. I said, "I love you, but you shouldn't be in this job at all." And he is back in the loop. What is going on, folks?

Ms. HRDLICKA. They retire, and then they hire them back as civil.

Mr. DORNAN. And that is what I guess happened with Paul Mather. Totally nice man. Had breakfast, lunch, and dinner with him in the summer—no, the winter of 1978, 1979, right after Christmas.

Go ahead.

Ms. HRDLICKA. I just want to point out on these reports, because I would just like to have you see a few examples of how things are done. After these reports had been in my files for years, I finally got a shoot-down date. I don't know how you call it—chronological, shoot-down list.

Mr. DORNAN. When did you get this?

Ms. HRDLICKA. Pardon?

Mr. DORNAN. When did you get this?

Ms. HRDLICKA. This was a couple years ago. I sent these very same documents then to Colonel Caswell, who was in the DIA at the time. After I sent them these documents with the shoot-down dates matching these documents, then finally they admitted to me that these documents don't correlate to David Hrdlicka. But they are still in my comprehensive review.

Now I ask you, why? There were nine shoot-downs on this one. Did they go and check to see if any one of these other nine men fit this report? They just correlated it to David.

Mr. DORNAN. Nine shoot-downs.

Ms. HRDLICKA. There were nine shoot-downs in June 1966; there were nine shoot-downs, yet they took this report.

Mr. DORNAN. Oh, I see.

Ms. HRDLICKA. This report says June 1966. David was shot down in 1965, but they correlated this to David Hrdlicka. Now that is the way they do the cases. This shouldn't even be in my file.

Mr. DORNAN. I am surprised there were nine shoot-downs in Laos. I would think 1966 we were close to McDaniel's period, who was with us earlier visiting. I can't believe there was that much activity in the so-called secret war a year and a month after David was shot down.

Ms. HRDLICKA. You see, there is a real good reason for that, because there are nine men now that never made it on an MIA list. This report went to David Hrdlicka, and there are nine men shot down.

Mr. DORNAN. You think that disposed of it, so one of those nine men was not considered last known alive?

Ms. HRDLICKA. Right.

Mr. DORNAN. Or possibly alive in the June 1966 period.

Ms. HRDLICKA. Every report that they have correlated to David is another man.

Mr. DORNAN. I see. They might all be separate.

Ms. HRDLICKA. That is correct.

Mr. DORNAN. Continue your analysis. Nine shoot-downs, June 1966.

Ms. HRDLICKA. They keep trying to make this one document fit David Hrdlicka, and in my estimation what they are doing is wasting the taxpayers' money and resources in trying to make reports fit David that just obviously do not fit David.

Mr. DORNAN. Why did you ask about the three sons?

Ms. HRDLICKA. Because in here they said that this man has three sons, so I am just pointing out, well, the date is wrong, the children are wrong, and he died of malaria. Well, they wanted to use this date for David's death, I am sure, so they correlated this.

Well, David doesn't have three sons; David has two sons. What I am saying is, when you have got nine shootdowns, mean if you were doing the Sherlock Holmes thing, wouldn't you go and look on the shoot-down list to see if this guy had three sons or did this guy have three sons?

Mr. DORNAN. Charles Shelton was shot down on his 33d birthday, April 29, 20 days—or 18 days ahead of David.

Ms. HRDLICKA. It could fit, but the date is wrong.

Mr. DORNAN. I mean did you ever talk to Mrs. Shelton before she went to heaven?

Ms. HRDLICKA. No.

Mr. DORNAN. To find out if any documents popped up in her files?

Ms. HRDLICKA. Oh, yes. See, we have similar documents, but the thing is that until I received this list of shoot-downs, I couldn't tell who was shot down in June. I got this list—

Mr. DORNAN. Of course not.

Ms. HRDLICKA. Then I found out. So then I sent these documents up to them, and they said, "Oh, gosh, gee, Carol, you are right; this doesn't fit David Hrdlicka." So I consider this is incompetence in the Government, and I consider that it goes clear up to the White House.

It is inconceivable—I beg your pardon—to me it is conceivable that these officials know these facts but they are concocting their own scenarios rather than giving us the truth; and the evidence shows that the agencies have tracked POW's for years, and if Charles Trowbridge was doing this kind of analyzing in a civilian community he would be fired.

Mr. DORNAN. I don't want to compound your problem, but when the hostages were held in Lebanon and before I went over there on that aforementioned trip to meet on my own instigation with Hafiz Asad, who is back in the news because he is holding up the Middle East peace process, I went over, and they had created a time line with excellent intelligence tracking the hostages, including a man who became my friend later, David Jacobson, working with his two sons, just as I have with POW wives.

They had tracked so effectively the movement of disparate hostages from building to building, until finally they disappeared up into the Bekaa Valley; and we lost that initial opportunity to attempt a rescue. I can't believe we didn't do this in the sixties on Shelton, Hrdlicka, DeBruin, or anybody else, a time line.

One of the things that impressed me about the late Eugene Thai was he said, "Well, I will have to request some time on the satellite passing over in that area, and it might take a month."

Obviously it did not have high priority in the seventies in Jimmy Carter's presidency, and again until Reagan came in, that it should have had. So precious years, when the trail is only a few years old instead of 25 years old, are lost.

Ms. HRDLICKA. The only thing I would say to that is the Laotians still keep track of whoever they have. They know exactly where they are. So——

Mr. DORNAN. It is not like it is a highly populated country. It is the lowest population country in Asia.

Ms. HRDLICKA. Right.

The next report that I would like to turn your attention to is June, 1989, exhibit No. 5. It is dated 1989, and I did not receive this until 1990. In this letter it states, "I am talking to Colonel Chaeng, PL commander of the 11th Regiment at Kham Kuet, Kham Moname Province, suspected of holding D. Hrdlicka and friends. The outcome of my conversation will be relayed to you soon."

Now I ask you, if you were an investigator on a case, would you consider this a good lead to pursue? Instead, time and resources are wasted trying to make old 1966 and 1968 reports fit David.

Mr. DORNAN. Let me help the reporter spell those two names. Kham Kuet, K-H-A-M K-U-E-T, comma, of Province K-H-A-M, M-O-N-A-M-E, Kham Moname Province. She will get your testimony anyway. Put the whole testimony in.

All right, press on.

Ms. HRDLICKA. OK. The thing is, why is it that the only thing these agencies seem to be interested in is finding death? They don't want to find out what really happened. They want to mark David Hrdlicka off their list.

In this same report during the Stony Beach interview—Stony Beach is the investigator for JTF-FA—the Laos sources states that he had information from Colonel Chaeng through Colonel Boua.

Mr. DORNAN. B-O-U-A.

Ms. HRDLICKA. Had information that Hrdlicka was held in the Lak Xao vicinity.

Mr. DORNAN. L-A-K X-A-O. Capital X, A-O.

Ms. HRDLICKA. Now, where are the reports that any investigator went to Lak Xao to investigate? And wouldn't it be interesting to know what, if any, follow-up had been done on all this information?

Mr. DORNAN. You have never seen a report on that.

Ms. HRDLICKA. No.

Mr. DORNAN. In David's files.

Ms. HRDLICKA. No. The outcome of the conversation has never even turned up, although I have Freedom of Informationed it many times. And I would think that, to me, there is a good deal of information here. We have specific names. We have areas.

Where are the reports? Did they talk to any of these individuals?

When we asked Mr. Trowbridge for information on General Chaeng, he said he couldn't find him. Well, now you know, if he can't find a general with this much information, then what chance do we have of him finding any of our men?

And the DIA—Defense Intelligence Agency—knew for years the correspondent Ivan Shchedrov had talked to David in captivity, which I put in the packet as No. 6, the letter from Ivan Shchedrov. Did any official in any agency ever go and interview Mr. Shchedrov?

Mr. DORNAN. Fair question, and I am making a note here. Mr. Chapla, Mr. Santoli, help me to ask this of our analysts when we get to them.

Ms. HRDLICKA. After I made a trip to Russia at my own expense, Mr. Ed Ross complained to Hershel Gober of the Veterans' Affairs during a briefing about David's case, exhibit number 7, that I did not share my information with them.

Why should I be expected to share the information that I have gathered at my expense with an agency that has unlimited resources and should have done the investigation themselves years ago? This is just another example of how grossly inept the agencies charged with resolving our cases are.

On September 25, 1985, a Defense Intelligence memo addresses these very shortcomings. They use such phrases as: "We have never used or employed some of the most basic analytical tools." "There is an element of truth in the allegation that there is a mind-set to debunk and we will not withstand scrutiny very well."

Mr. DORNAN. Was that some inspector general's reports?

Ms. HRDLICKA. No. That is—now which report?

Mr. DORNAN. Where did that quote you just read come from?

Ms. HRDLICKA. That comes from this Defense Intelligence Agency memo.

Mr. DORNAN. I am sorry, you said that DIA report. I have it right here in front of me.

Ms. HRDLICKA. OK. Now, Colonel Peck resigned in 1991, and he is still addressing the very same problems.

Now, I ask, do you think that these agencies, after 30 years, have corrected their mistakes when the same people are still conducting these investigations and that they have now, all of a sudden, become very effective investigative agencies?

In July 1992 I had a meeting with Bob Sheets of the DIA. Warren Gray was also there.

Mr. DORNAN. Warren is with us today.

Ms. HRDLICKA. And I had asked them to address the evidence that they possessed to prove their belief now that David had died. I don't understand when belief becomes evidence.

I wanted to see any and all documentation that they had in their possession to prove their case of death. Mr. Sheets brought no documentation to this meeting. If they had such a strong case that David had died, why didn't they show me the evidence then?

I had requested to see the evidence on the Walking K, the USA Walking K, because I was told years ago that anything that came up in the Sam Nuea area I would be notified of because David was in that area.

And this is out of the Library of Congress, and it is a picture of the USA Walking K.

And I wanted to see how that did not correlate to David Hrdlicka, because that is what they had told me, that it didn't correlate to David. Mr. Sheets at that meeting admitted that there was no evidence that proved their assumption on either point.

And you might just want to ask Warren Gray what his explanation was of what the Walking K actually was, USA Walking K, and if there is actually any evidence that it is what he says and not just hearsay. I would like to see evidence to prove that some

farm boy went out there and stamped that out in the rice paddy because at 15 feet high, I don't think that the Laotians would like their rice paddies stomped into the dirt.

Mr. DORNAN. I have to clear up, Carol, whether or not the analysts for years even knew about all of these pilot-trained intelligence identification systems. I was told recently that long periods went on where they didn't know about this and it was brought to their attention way, way after the fact, and then, of course, there wasn't much sense going back to look at satellite imagery from years gone by.

Ms. HRDLICKA. I think that that might be somewhat true, that the analysts were the only ones that could—maybe pick up the signals. But you know, time after time, these investigators' word is accepted without any documentation or proof. Their statements don't even have to match the individual's case. But the committee just accepts whatever they say.

I have never seen someone say to one of the investigators, now you go back to your office and you get the documentation that backs up the statement that you just made and bring it here and show it to me. And that is what I would like to see.

I would hope that you can see through all the testimony and everything today with the other family members that there is incompetence running rampant in these organizations, and it is not just one case but it is many, and the incompetence of the people that have been charged with investigating these cases.

I am disgusted with the patronizing manner in which I am treated as well as being told how concerned these agencies are about finding out about our loved ones. Actions speak louder than words.

The briefing Mr. Ed Ross gave to Hershel Gober shows the true feelings in the statement made by Mr. Ross where he says, "Mrs. Hrdlicka has selective hearing." I was not offered the courtesy to defend myself against or answer Mr. Ross' accusation.

For over 20 years these agencies have wasted the taxpayers' money trying not to do a good job, and I suggest to you I could get more of a professional, efficient job from the private sector at a much more reasonable cost.

Where is the accountability for the despicable job that has been done by these agencies for years? During the Senate Select Committee hearing, individuals perjured themselves, and when Senator Smith asked Attorney General Reno, Janet Reno, for action, what happened? Nothing. These individuals are so arrogant, they laugh in the face of Congress. They believe they are above the law.

When will Congress stand up for our men and make these agencies accountable through oversight? As this committee has seen first hand, these agencies will not cooperate freely. Only under the threat of subpoena do they cooperate.

We as family members had great hope during the Senate Select Committee hearing, but in a very short time it became evident Senator Kerry, the chairman, and Senator John McCain had no intention of the truth really coming out. We had only two friendly Senators, Bob Smith and Charles Grassley, that fought very hard to learn the truth.

If Senator Kerry had done an honorable and truthful job, we would not be here today. I would have all of the documents that

I have brought today entered into the record. And I would like you to look at 20 pilots being held which shows up on different areas in these reports. The question here is, Are these the same 20 or are there several groups of 20 showing up?

It is important to remember, no one returned who was ever held in the caves of Laos or was held by the Pathet Lao. The returnees were captured by—or in Laos by the Vietnamese. They were never held in Laos.

Mr. DORNAN. Allow me to footnote that, Carol, because I have spoken to a couple of them who were captured by the Pathet Lao and turned over, they gave me the impression, by intimidation, within 24 hours to North Vietnamese troops who dominated the area. This is along the Ho Chi Minh Trail. And the exception is a CIA nonpilot air crewman, Bernie Brace.

Ms. HRDLICKA. And he escaped.

Mr. DORNAN. Bernie Brace was taken to Dien Bien Phu for 3 weeks and then taken into the Hanoi system and tacked up on the wall by John McCain, no less.

Ms. HRDLICKA. You ask any of the POW's, and there were none of them who were ever held in the caves in the northern part of Laos. They were not held by the Pathet Lao.

Mr. DORNAN. I lay that horror at the feet of Richard Nixon, and I think it contributes to the guilt of Roger Shields, which, by the way, exists to this day. I know that for a fact. Roger is not a bad man.

Ms. HRDLICKA. Mr. Wold made the statement before this committee that he has bent over backward to help the family members. If the family finds the documents on their own in the archives, then we get help.

We have filed Freedom of Information Act requests asking for all information on our loved ones. I have even filed asking for everything with David's name on it. Then I find a document with David's name on it that I have never seen; yes, I have been assured time and time again I have all the documents. I believe the agencies have been less than truthful.

Mr. Wold refers to a document from the White House dated June 9, 1973. I had asked him if he could get it redacted. Mr. Wold states the document was completely useless to me. Well, that is not quite true.

After I sent the document with David's name on it to Mr. Wold, I received a letter from Casualty admitting—now remember, they tried to kill David off, admitting that David Hrdlicka was a known POW at homecoming. Now, that may not be significant to Mr. Wold, but it sure is to me, seeing as how DPMO and DIA have insisted for years that David died in 1966 or 1967 or 1968 from a gunshot wound or malaria or malnutrition. This is just another example of how they portray themselves as doing a great job.

I thank the chairman, and I won't beleaguer it any more, and I thank you all for your diligence and your tenacity. I have to say that our men deserved much better treatment from their own Government.

[The prepared statement of Ms. Hrdlicka follows:]

Statement to the National Security Subcommittee on Military Personnel
December 14, 1995

Re: Col. David L. Hrdlicka case #0084

Mr. Chairman and Committee members, thank you once again, for inviting me to testify before this committee. I will give you just a brief outline of David Hrdlicka's case then I would like to address the Comprehensive Review on David's case.

It was a well documented fact that Col. David L. Hrdlicka was a POW from the moment he was shot down. David lost his freedom in Laos on May 18, 1965. He was photographed upon capture and that photo has been widely circulated. David wrote a letter to Prince Souphanouvong asking for his release in 1966. David's capture picture appeared in a Hanoi publication, Quan Doi Nhan Dan, this same photo also appeared in the Soviet Newspaper, Pravda, on August 31, 1966. On May 5, 1967 a Laotian representative admitted that David had been captured. Lao Communist officials claimed that US pilots did not have the legal status of prisoners of war because there was no declaration of war; therefore, their acts were "criminal" (Note Exhibit #1, Tab A). Is that what the men that might be lost in Bosnia will be considered--criminals also? A Russian correspondent by the name of Ivan Shchedrov talked with David in captivity. So, as you can see, David was in the prison system and well documented. I doubt, very seriously, that the Pathet Lao do not know what happened to David Hrdlicka or that they just lost him.

In a Feb. 1994 memo (Exhibit #2) Col. Schlatter admits that report TDCS

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314/04249-66 (Exhibit #3), no longer can be correlated to David, yet this report is still included in the Comprehensive Review by DPMO. In my opinion, they have just retyped the same old case from D.I.A. using the same old documents. There are two specific reports; TDCS-314/04249-66 & TDCS-314/04155-68 which show Mr. Charles Trowbridge signature at the bottom as the analyst on both reports as early as 1966, Mr. Trowbridge is still in the D.I.A. today, how can that be? I sent these two reports to a Col. Caswell in the D.I.A. in 1992 with evidence to show that the reports did not correlate to David. TDCS314/04155-68 (Exhibit #4) is another story, in the original report dated June 1966, the pilots name was thought to be Davis, Davit, or David and had three sons, David Hrdlicka has only two sons. There were 9 shoot downs in June of 1966, could it be one of these men had three sons? Did the analysts even check to see if one of these 9 men had three sons? This report does not fit David, but in this memo they are still trying to make it fit. In so many of the cases there are facts that do not fit the case, but are used anyway so that they can close the case. The taxpayers money and resources are being wasted making reports fit individuals that it is obvious they do not fit, this is gross incompetence. This incompetence goes to highest levels of government, including the White House. Is it conceivable these officials know the fates of these men, but are concocting their own scenario rather than the truth? The evidence shows the USG agencies have tracked the POWs for years. If Charles Trowbridge did this kind of analyzing for a civilian company he would be fired for incompetence.

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I would now turn your attention to a report of a letter dated June 1989 (Exhibit #5), which I was **not** informed about **until** July 1990. In this letter it states, "I am talking to Col. Chaeng (Brig Gen) Pl. Commander of the 11th Regiment at Kham Kuet, Kham Moname Province. Suspected of Holding D. Hrdlicka and friends. The outcome of my conversation will be relayed to you soon." Now I ask you, if you were an investigator on a case would you consider this a good lead to pursue? Instead, time and resources are wasted trying to make old reports in 1966 & 1968 fit David Hrdlicka? Why is it that the only thing these agencies try to do is prove David died instead of finding out what really happened? In this same report during a Stony Beach interview (Stony Beach is how JTFFA refers to their investigators) The Lao source states that he had information from Col. Chaeng through Col. Boua that Hrdlicka was held in the vicinity of Lak Xao. Where are the reports that an investigator **went** to Lak Xao to investigate and wouldn't it be interesting to know **what**, if any, follow-up there was on all this information? There seems to be good deal of information here, we have specific names and areas, where are the reports on these interviews (if there were any interviews of these individuals)? When we asked Mr. Trowbridge for information on Gen. Chaeng, he said they couldn't find him. Now, if the intelligence community can not find a General in the 11th Regiment in Kham Keut, Kham Moname Province what chance do these same people have of finding David Hrdlicka or any of our men?

The D.I.A. knew for years that the Russian correspondent, Ivan Schedrov, had

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talked with David in captivity (Exhibit #6), **did** any official ever make an effort to interview Mr. Schedrov? After I made a trip to Russia, at my own expense, Mr. Ed Ross complained to Herschel Gober of the Veterans Affairs, during a briefing about David's case (Exhibit #7), that **I did not** share my information with them. **Why** should I be expected to share the information that I gathered at my own expense with an agency that has unlimited resources and should have done the investigation themselves years ago. This is just another example of how grossly inept the agencies charged with resolving our cases are. In a Sept 25, 1985 Defense Intelligence Memo these very "**short comings**" were addressed in such phrases as: "We had never employed some of the most basic analytic tools--there is an element of truth in the allegation that there is a Mindset to debunk, and we will not withstand scrutiny very well" (Exhibit #8). These very same problems were addressed when Col. Peck resigned in 1991 (Exhibit #9). Do you think these agencies have all of a sudden corrected years of mistakes when the same people are **still** conducting the investigations, that they now have become an **efficient** investigative agency?

In July of 1992 I had a meeting with Bob Sheets of the D.I.A and Warren Gray to address the "evidence" they possessed to prove their **belief** that David had died, since when is **belief** evidence? I wanted to see any and all documentation they had in their possession to prove **their** case for death, Mr. Sheets brought no documentation to this meeting. If they have such a strong case that David had died, why wouldn't they show it to me? I had also requested to see **evidence** the USA walking "K" (that was picked up on

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the satellite in 1988 in the Sam Neua area, Exhibit # 10) did **not** correlate to David Hrdlicka. Mr. Sheets admitted there was no "evidence" that proved their assumption on either point. You might want to ask for Warren Gray's explanation of the USA walking "K", ask if he has **evidence** other than hearsay. Time after time these investigators word is accepted without any documentation or proof of their statements. Their statements don't even have to match the individuals case.

I hope you can see the incompetence that runs rampant in these agencies from the few examples I have shown here today coupled with the testimony of other family members. It is just not **one** case but many and the incompetence of the people that have been charged with investigating our cases. I am disgusted with the patronizing manner in which I am treated, as well as being told how concerned the agencies are about finding our loved ones, actions speak louder than words. The briefing Mr. Ed Ross gave to Herschel Gober shows the true feelings in the statement made by Mr. Ross where he says, "Mrs. Hrdlicka has selective hearing". I was not even offered the courtesy to defend myself against or answer Mr. Ross's accusations. For over 20 years these agencies have wasted the taxpayers money trying not to do a good job, and I suggest to you I could get a more professional-efficient job from the private sector at a much more reasonable cost.

Where is the accountability for the despicable job that has been done by these agencies for years? During the Senate Select Committee individuals perjured themselves and when Senator Smith asked Attorney General, Janet Reno, for action--what happened

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nothing? These individuals are so arrogant they laugh in the face of Congress, they believe they are above the law. When will Congress stand up for our men and make these agencies accountable through oversight? As this committee has seen first hand these agencies **will not** cooperate freely, **only** under the threat of subpoena do they cooperate. We, as family members had great hope during the Senate Select Committee Hearings, but in a very short time it became evident Senator John Kerry, Chairman, and Senator John McCain had no intention of the truth **really** coming out. We had **only** two friendly Senators, Bob Smith and Charles Grassley, that fought very hard to learn the truth. If Senator Kerry had done an honorable and truthful job, we would not be here today.

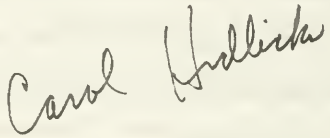
I would like to have the documents I have brought today entered into the record and would ask that the committee take note that the number of 20 pilots being held, shows up many times in Laos on Exhibit #11 & #12. The question here is **are** they the same 20 or are there **several** groups of 20? It is important to **remember** no one that returned was ever held in the caves of Laos or were held by the Pathet Lao, the returnees were captured in Laos by the Vietnamese.

Mr. Wold has made the statement before this committee that he has bent over backwards to help family members. **If** the family "**finds**" documents on their own in the archives, then he helps. We have filed Freedom of Information requests for "**ALL**" information on our loved ones. When I find a document with David's name on it that I **have** never seen, yet, I have been assured time and time again, "I have all the documents",

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I believe the agencies have been **less** than truthful. Mr. Wold refers to a document from the White House dated June 9, 1973. I asked if he could get it redacted. Mr. Wold states the document was completely **useless** to me--well that is not quite true. After I sent that document, with David's name on it to Mr. Wold, I received a letter from my Casualty Officer **admitting** David Hrdlicka was an known POW at Homecoming. Now that may not be significant to Mr. Wold, **but** it sure is to me, seeing as how they (DPMO and DIA) have insisted, for years, that David had died in 1966 or 1967 or 1968, from a **gun shot wound** or **malaria** or **malnutrition**. (Exhibit #13) This is just another example of how they portray themselves as doing a "**great job**".

I thank you, Mr. Chairman, and committee members for your diligence and tenacity in searching for the truth. Our men **deserved** much better treatment from **their** own government.

A handwritten signature in cursive script that reads "Carol Hrdlicka". The signature is written in dark ink and is positioned to the right of the typed name.

Carol Hrdlicka

EXHIBIT #1

LAOS

A. BACKGROUND INFORMATION

1. When the Democratic Republic of Vietnam (DRV) and the Provisional Revolutionary Government (PRG) released their lists of U.S. prisoners to the United States Government on 27 January 1973, none of the names of men known to have been captured in Laos appeared on either list. The absence of any names of U.S. prisoners from Laos on either the DRV or PRG lists was particularly disconcerting because it was known at the time that a small number of Americans had been captured in Laos, moved to North Vietnam for detention, and were still in North Vietnamese prison camps. As a result of pressure applied by U.S. officials, a list of nine American prisoners and one Canadian prisoner captured in Laos was produced in Paris on 1 February 1973.

2. Some of the circumstances leading to the release of these ten men became complicated due in part to a question of whose prisoners they were, the Pathet Lao's or the North Vietnamese'. The list of "Laos prisoners" was far below expectation because it contained the names of only ten individuals: nine Americans (seven military and two civilian) and one Canadian. The list was also below expectation in two other regards:

a. It contained absolutely no information on men who died in captivity (both the DRV and the PRG lists provided names of men who died in captivity).

b. It contained the names of men who were apparently captured by the North Vietnamese troops operating in Laos, not by Pathet Lao forces. The North Vietnamese, on their part, created the facade that these ten "Laos prisoners" were truly captives of the Pathet Lao, not the North Vietnamese. For example, the North Vietnamese actually produced the list of the ten "Laos prisoners." However, when they released the list, the North Vietnamese maintained they were "informed by the Pathet Lao that the ten personnel on the list had been captured in Laos."

3. The Canadians also became involved in this confusing situation shortly after the release of the list of "Laos prisoners." On about 3 February 1973, Canadian officials met with the Pathet Lao and North Vietnamese representatives in Vientiane in an attempt to have Mr. Lloyd Oppel, the Canadian national whose name appeared on the list, released to the Canadians. Responding to the Canadian request, Soth Petras (permanent Pathet Lao representative in Vientiane), disclaimed any knowledge of the list or of an agreement to release prisoners captured in Laos through Hanoi. During another meeting with Soth later in February 1973 regarding Mr. Oppel's release, Soth indicated he was not familiar with the subject and would inquire through Pathet Lao Headquarters in Sam Neua. However, on 6 March 1973, Soth informed the Canadians that Mr. Oppel would be released very soon, and he indicated that the modalities of the release would probably involve Mr. Oppel's being flown back to Vientiane where the official return would take place in a "small ceremony" at the airport there.

4. During the time the Canadians were negotiating for the release of Mr. Oppel, similar inquiries were being sought concerning the release of the nine Americans. Approximately two weeks after the release of the list of "Laos prisoners," Soth declined to give detailed comments concerning U.S. prisoners in Laos, but said that a detailed accounting of prisoners and their places of detention was held by the Pathet Lao and that the exchange of prisoners would take place upon the cessation of fighting in Laos. Further reiterating that the exchange was to occur in Laos, he emphatically stated: "If they (the prisoners) were captured in Laos, they will be returned in Laos." Moreover, on 17 February 1973, Soth was told that at a press conference Dr. Kissinger had stated that the responsibility for the identification and repatriation of all prisoners captured in Indochina had been taken by the DRV. To this statement Soth replied: "Whatever U.S. and North Vietnam agreed to regarding prisoners captured in Laos is not my concern. The question of prisoners taken in Laos is to be resolved by the Lao themselves and cannot be negotiated by outside parties over the heads of the Lao."

5. Despite a few delays and Pathet Lao insistence that prisoners captured in Laos would be returned in Laos, the ten "Laos prisoners" were released at Gia Lam Airport in Hanoi on 7 March 1973. The nine Americans and one Canadian were turned over to their respective receiving delegations, and Lt Col Thoong Sing, head of the Pathet Lao delegation in North Vietnam, was in attendance at the release ceremonies.

6. Since *Operation Homecoming*, the Pathet Lao claim to hold no other U.S. personnel except Mr. Emmet J. Kay, captured in Laos on 7 May 1973. On 6 April 1973, Soth stated that the Pathet Lao are holding no more prisoners in Laos, and he went on to say that the U.S. prisoners returned on 28 March 1973 in Hanoi were the only ones the Pathet Lao held.

B. CURRENT SITUATION

1. Although the Pathet Lao claim that *Amne* is the only U.S. prisoner currently held in Laos, the following unconfirmed reports provide information to the contrary:

a. Eyewitness Sighting of a Small Group of Caucasian PWs in the Sam Neua Area Prior to *Operation Homecoming*.

During previous years there have been numerous U.S. PW sightings in the Sam Neua area (see map, Appendix A, point A). However, the most recent eyewitness sighting of a small group of U.S. PWs still being held in that area occurred between January and May 1972. A telephone lineman serving with the Pathet Lao reported that he entered a man-made cave on three occasions during January-May 1972 to repair the telephone line running into the cave. On all three occasions, he claimed to have observed seven or eight male Caucasians and a small number of indigenous prisoners. He was allegedly told by Pathet Lao guards that the Caucasian males were American prisoners. According to the lineman, two Pathet Lao guards were stationed outside the cave entrance door, and these guards controlled entry into the cave. In the immediate vicinity of the cave, security was provided by a Pathet Lao guard element of fifty men. His information has not been confirmed by any subsequent reports, and the identities of the Caucasian prisoners he allegedly saw cannot be determined. Moreover, debriefing information established that none of the ten "Laos returnees" was ever detained in Sam Neua; consequently, this fact eliminated the possibility that any of them correlated to the alleged Caucasians sighted in that area.

b. Two Hearsay Reports Concerning U.S. PWs in Laos after *Operation Homecoming*.

(1) One report concerning the possibility of a single American prisoner being held in Khammouane Province, Laos, was supplied by a controlled source who provided his information fourth hand. The source reported that a U.S. pilot was moved from Bung Kwang to nearby Namthon (see map, Appendix A, point B) on 12 December 1973.

(2) Another controlled source, supplying thirdhand information, reported that in September 1973 nine U.S. prisoners were being held with four Thai and 82 Lao prisoners at a Pathet Lao/North Vietnamese Army PW camp at Pha Dakthong (see map, Appendix A, point C). According to source's information, the nine American and four Thai prisoners were sent to Hanoi during September 1973. The validity of this information has not been ascertained. The information does not correlate either to any previously received reports or to any confirmed data. Based on a review of this report, the only possibly equatable information is that there were nine Americans captured in Laos who were released in Hanoi during *Operation Homecoming*; however, this may only be a coincidence.

(3) In both of the above-mentioned reports, the sources were not able to provide any details regarding the descriptions or capture circumstances of the alleged American prisoners. Both of the above reports are viewed as unconfirmed until additional information is received.

2. Although recent reports and sightings of U.S. prisoners in Laos have been unconfirmed, it is clear that the Pathet Lao had captured some U.S. personnel who were not released. Regarding this point, on the day preceding the release of the ten "Laos prisoners," a U.S. official expressed to Soth the U.S. Government's hope that the Pathet Lao were holding additional U.S. prisoners other than those appearing on the list. At the time, U.S. officials brought up the names of Mr. Eugene Debruin, U.S. civilian, and Lt Col David Hrdlicka, USAF, and showed Soth Petrasz photographs of both men in captivity that had appeared in Pathet Lao publications. Neither PW was on the list for release, and the Pathet Lao had not provided any information on their current fate. At this meeting, Soth was also given a copy of a May 1966 memorandum of conversation in which he acknowledged that the Pathet Lao were holding Mr. Debruin and that he was in good health. Soth replied he would refer the matter of other U.S. prisoners in Laos to his superiors in Sam Neua. Mr. Debruin and Lt Col Hrdlicka are examples of the few men who were definitely known to have been captured by the Pathet Lao, but were not released. The Pathet Lao have yet to provide any information regarding the fate of these men.

3. The Pathet Lao themselves have made various statements over the years that indicate their knowledge of U.S. PWs in Laos. The following examples illustrate such statements:

a. In September 1968, Soth Petrasy told a U.S. official that "pilots are generally kept near the area in which their plane is downed, and therefore may be found throughout Laos from the south to the north."

b. In the course of a February 1972 interview, Soth made a statement to the effect "that some tens of prisoners are presently being held" by the Pathet Lao.

c. During an April 1972 interview, Soth spoke about prisoners, including many U.S. airmen, being detained in secured areas inside various caves in northern Laos.

d. On 14 April 1972, Soth reportedly stated that "there are many American PWs held in liberated areas of Laos," but he would not provide specific figures.

e. During an April 1971 interview with a Swedish correspondent, Prince Souphanouvong, Chairman of the Lao Patriotic Front Central Committee, was asked to comment on the Pathet Lao policy toward captured enemy soldiers and American pilots. In response, Prince Souphanouvong made the following statement:

"The LPF (Lao Patriotic Front) has made public a concrete policy toward enemy soldiers or agents captured or giving themselves up, including GIs. All the American pilots engaged in bombings or toxic chemical sprays on Lao territory are considered criminals and enemies of the Lao people. But once captured, they have been treated in accordance with the humane policy of the LPF. The question of enemy captives, including U.S. pilots, will be settled immediately after the U.S. stops its intervention and aggression in Laos first, and foremost, ends the bombing of Laos territory."

Prince Souphanouvong's statement, together with statements made by Soth Petrasy, indicates that the Pathet Lao were holding American prisoners. As previously mentioned, the ten "Laos returnees" during Operation Homecoming were captured and held by the North Vietnamese, not the Pathet Lao, and, with one exception, they were moved expeditiously out of Laos to North Vietnam. Their experiences do not conform to the statements mentioned above. Therefore, if true, the Pathet Lao statements cited above refer to PWs other than the ten released during Operation Homecoming.

C. SUMMARY

There is no doubt that the Pathet Lao have yet to provide even a partially satisfactory accounting of the approximately 300 U.S. personnel unaccounted for in Laos. This accounting should be provided as the February 1973 Vientiane Peace Agreement and associated protocols are implemented. Because there has not been an official accounting furnished by the Pathet Lao and since there are only unconfirmed reports of U.S. PWs alive in Laos except for Mr. Kay, one can only speculate about the current fate of the Americans who were known to have been held captive by the Pathet Lao in previous years.



APPENDIX A US PWs REPORTED IN LAOS

SUMMARY OF FACTS AND CIRCUMSTANCES

1. Lieutenant Colonel David L. Hrdlicka, 476-28-0663FF, was the pilot of the lead aircraft in a flight of four F-105s which departed Takhlia Air Base, Thailand, at 0735, 18 May 1965, on an interdiction/bombing mission of a segment of road in the vicinity of Sam Neua, Laos. The flight arrived in their assigned target area without incident and was forced to circle the area for approximately 15-20 minutes until the low cloud cover abated and allowed recognition of the target. Colonel Hrdlicka descended through the cloud cover and initiated his attack on the target, followed by the other flight members. As he was completing his pass, Colonel Hrdlicka radioed that he had a fire warning light on and the pilot of the number two aircraft confirmed that his aircraft was on fire. The aircraft continued climbing until reaching approximately 10,000 feet and at about 0850 Colonel Hrdlicka ejected and deployed a good parachute. The pilots of the number three and four aircraft attained a higher altitude to alert search and rescue forces while the wingman remained in close proximity to the lead aircraft and observed Colonel Hrdlicka descend in his parachute. He was seen to land in a valley clearing near a small village located approximately nine miles east-southeast of Sam Neua, Laos. The wingman flew toward the downed member but was driven back to a higher altitude by intense flak. Circling at 9,000-12,000 feet, he could not see any movement on the ground, but after about 10-15 minutes, the wingman noticed that Colonel Hrdlicka's parachute was being folded up. In a low level pass over the area he caught a fleeting glimpse of approximately six to eight people standing as though they were looking in his direction. One person had the parachute under his arm. The people were dressed in dark colored clothing and one person, taller than the others, was dressed in a flying suit. It was impossible to determine if the taller person was walking with the others or if he was being supported by them in an upright position. The wingman watched the group enter the village and disappear. The wingman refueled and returned to base; and when he reentered the area to assist in the search for the downed member, two helicopters and four T-28 aircraft were at the scene. The T-28 flight circled the area at a low altitude, but the members did not see any signs of life in the village. One of the helicopters landed near a friendly village about eight to ten miles from where Colonel Hrdlicka had parachuted, and the villagers reported that the downed pilot had been captured by the Pathet Lao. Although Colonel Hrdlicka carried electronic emergency equipment, no distress calls were received from him after ejection. Due to negative findings the search was terminated. On the basis of the above information, Colonel Hrdlicka was placed in a detained status on 24 May 1965. The term "detained" was later changed to "interned" as directed by the Department of Defense. Colonel Hrdlicka was continued in an interned status at the expiration of the initial 12-month period of absence in accordance with the provisions of Section 1005, Title 50, USC (comparable to Section 555, Title 37).

TAB A

2. Beginning on 22 May 1966, a number of reports emanated from the Pathet Lao telling of the capture of Colonel Hrdlicka, including on two occasions the playing of tape recordings allegedly made by Colonel Hrdlicka. In addition, two letters purported to be from Colonel Hrdlicka to Prince Souphanouvong, decrying US involvement in Laos and asking to be released, were propagandized.

3. A Hanoi publication, Quan Doi Nhan Dan, printed a photograph on 22 July 1966 of an individual in a flight suit being closely followed by an armed enemy soldier, presumably a Pathet Lao. The article identified the individual in the photograph as Colonel Hrdlicka. Positive identification was made by the next of kin. The same photograph appeared in the 31 August 1966 issue of the Soviet newspaper, Pravda.

4. On 5 May 1967, the International Committee of the Red Cross (ICRC) in Geneva, Switzerland, was advised by a Laotian representative that the Pathet Lao reported the capture of two Americans, Colonel Hrdlicka and Mr. Ernest C. Brace, a civilian. Mr. Brace was repatriated during Operation HOMECOMING and in his debriefing he reported having no knowledge of the capture or the fate of Colonel Hrdlicka. Although several of the repatriates recalled seeing the photographs of the individual identified as Colonel Hrdlicka in Pravda and Quan Doi Nhan Dan, none of the returnees saw or heard of Colonel Hrdlicka while in captivity.

5. Mr. Sot Pethrasi, the Lao Patriotic Front representative in Vientiane, was contacted numerous times through the International Committee of the Red Cross concerning an accounting for missing and captured Americans in Laos, without results. He stated that it was very difficult to get information from the Lao Patriotic Front headquarters at Sam Neua, Laos. Consistent with North Vietnam's position, he and other Lao Communist officials claimed that US pilots did not have the legal status of prisoners of war because there was no declaration of war; therefore, their acts were "piratical" or "criminal." He claimed that US prisoners were treated as well as the situation permitted and in most cases they were kept under guard within the confines of a village. Subsequent to the signing of the peace agreement with North Vietnam, Mr. Pethrasi stated publicly on numerous occasions that there are no American military prisoners in Laos.

6. No accounting for Colonel Hrdlicka was ever received from the North Vietnamese government, the Neo Lao Hak Sat (Pathet Lao) or their allies.

EXHIBIT #2



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301-2400

MEMORANDUM FOR HEADQUARTERS, AIR FORCE MILITARY PERSONNEL CENTER
(ATTENTION: MR. GEORGE ATKINSON)

SUBJECT: Request for Analysis of Information Correlated to
Colonel David Hrdlicka

Reference: Phonaccn btwn Mrs. Carol Hrdlicka (PNOK of Col
David Hrdlicka) and LTC Jim Caswell of 24 Jun 93.

During referenced telephone conversation, Mrs. Hrdlicka raised three questions/concerns, and requested an impartial review of available information. In particular, Mrs. Hrdlicka would like the following addressed:

1. Col Hrdlicka's assessed date of death.
2. Evidence of Col Hrdlicka's survival in the former Soviet Union.
3. Basis for statement in October 1992 edition of the POW-MIA Factbook regarding Col Hrdlicka's death while in captivity.

Since Col Hrdlicka's loss incident on 13 May 1965, this office has received a large volume of reporting from a number of sources which suggests that he survived the downing of his F-105 aircraft, was apprehended, and held captive by Pathet Lao forces near Vieng Xai, Houa Phan Province, Laos. On 24 May 1965, Pathet Lao officials released a statement acknowledging the capture of Col Hrdlicka; a photograph of Col Hrdlicka under armed escort appeared in the 22 July 1965 edition of a Vietnamese magazine. In 1966, Pathet Lao Radio broadcast portions of a letter allegedly written by Col Hrdlicka to Prince Souphanouvong. On 18 May 1967, Mr. Phoumi Vongvichit, Secretary General of the Lao Patriotic Front, confirmed Col Hrdlicka's capture in a telegram to Canadian Minister of External Affairs. Two reports suggest that an unidentified American pilot was transported from the Vieng Xai area of Laos to Vietnam. One of these reports (TDCS-314/04249-66 of 29 March 1966) which was previously believed to be associated with Col Hrdlicka can no longer be correlated to him because Col Hrdlicka was known to be alive in the Vieng Xai area well after the source claimed he was transported to Vietnam. The second report does not provide a date of information, but it had to be prior to 5 January 1969, the date of the report. This report states that two American pilots (one elderly and one young) were moved to Hanoi because they were considered incorrigible. Available information suggests Col Hrdlicka was not considered incorrigible. It should also be noted that no Americans held in the Vieng Xai area were ever seen by American POWs who returned from Vietnam. In late 1989, this office

obtained hearsay information regarding an alleged escape attempt by Col Hrdlicka, and his subsequent recapture and movement to one of two areas, Vinh Province, Vietnam or the tri-border area between Vietnam, Laos, and Cambodia. Follow-up collection activity determined that a well-known fabricator/self-proclaimed resistance leader was behind this reporting. During a subsequent interview, this individual admitted that he did not believe the information reported.

This office has received several reports which suggest that American pilots being held in the Vieng Xai area died in captivity. Two reports, TDCS-314/04155-68 of 12 March 1968, and JCRC LIAISON message 160230Z April 1991, respectively identified the deceased pilot as Davis/Davit or David and David K. Causes of alleged death range from stomach disorders to malaria, fever, and gunshot wounds. Dates of alleged death range from July 1965 to 1968; the 1968 date was provided by a Lao official during a 1982 League of Families trip to Vieng Xai. This Lao official's reporting, however, is questionable as he alleges that both Shelton and Hrdlicka died of natural causes in 1968, and that their graves both sustained direct hits by American bombs. Additionally, the individual who reportedly buried the two pilots (and should be able to identify the grave site) was allegedly killed during the war. It should be noted that this office has identified and spoken to two firsthand witnesses and several hearsay witnesses to the alleged burial of an American pilot during the 1965-1968 time frame. The witness interviewed in the above referenced JCRC message claims to have personally cared for "David K" for approximately eight months and was with the prisoner when he died during the rainy season of 1967, "around October". The information provided by these sources has been pursued but no further details have been developed. Efforts are still being made to interview an individual in Vientiane Province who claims to know where an American pilot was buried near Vieng Xai. Several of the reports of death once correlated to Col Hrdlicka are now known not to correlate to him because they contain dates of death prior to his last known alive date. This confusion regarding date and cause of death is most likely due to the fact that at least one other American, Col Shelton, was known to have been captured and held in the caves of Vieng Xai at approximately the same time as Col Hrdlicka. Other alleged Americans were also reported to have been held in the Vieng Xai area as well, but this office has not been able to identify any other specific individuals. Concerning cause of death, while it is not certain (all but one of the reports of Col Hrdlicka's death are hearsay), it is believed that Col Hrdlicka died in 1968 from malaria, some unidentified fever, or dietary complications exacerbated by the lack of food and medicine in the area. This conclusion is based on three factors: First, from available reporting, we do not believe Col Hrdlicka was incorrigible, reducing the likelihood of his being shot. Second, live sightings of American pilots being held in the caves of Vieng Xai are virtually non-existent after 1967. And finally, the Vieng Xai area was subjected to an extensive bombing campaign in 1968

which severely reduced food and medical supplies. It should also be noted that Mr. Vongvichit, the Lao official who acknowledged Col Hrdlicka's captivity in May of 1967, stated on 10 May 1973 that the Pathet Lao were holding no additional U.S. POWs. Mr. Vongvichit also agreed to gather information regarding Col Hrdlicka's fate and respond to American authorities at a later date. This office has no record of Mr. Vongvichit providing the requested information. U.S. representatives have taken every opportunity throughout the years to obtain additional data relative the status of Col Hrdlicka, and Mr. Vongvichit has been included on the list of Lao officials to be interviewed as part of an oral history project currently being developed (the Lao Government has not yet approved). As an aside, it should be noted that Mr. Vongvichit's statement regarding no additional Americans in captivity was made three days after American citizen Emmet Kay's Pilatus Porter was shot down over northern Laos. Mr. Kay was returned to U.S. custody on 18 September 1974. On 21 November 1977, Col Hrdlicka's status was administratively changed from detained to killed in action.

With regard to a possible Soviet/Russian connection, this office has received no evidence/reporting of Col Hrdlicka being transported out of Southeast Asia. The first suggestion of a Russian connection occurred in 1993 when Mrs. Hrdlicka announced her intent to question Major General Aleksander Kandaurov, Director of the Center for Public Information of the Ministry of Security. During a follow-up interview with the General, Task Force Russia interviewers were told that he had never seen Col Hrdlicka's name on any list, and is not sure how Mrs. Hrdlicka got the impression that he had. General Kandaurov's best guess is that he told Mrs. Hrdlicka that the Joint Commission was most likely aware of her husband's case and that his name was on a list, probably the list of unaccounted for Americans which was provided to the Russian side of the Joint Commission last year.

(Mrs. Hrdlicka's concerns regarding statements made in the 92 edition of the POW-MIA Factbook will be addressed during next revision of the Factbook.)

Joseph A. Schlatter, Jr.
Joseph A. Schlatter, Jr.
Colonel, USA
Acting Deputy Director
POW/MIA Office

EXHIBIT #3

DEFENSE INFORMATION REPORT EVALUATION				INSTRUCTIONS: to be completed by pencil or Ball Point Pen		
CUSTOMER NUMBER B-390	IR NUMBER TDCS-314/04249-66	COLLECTION PROJECT NUMBER	IR DATE YEAR MONTH DAY 2 9			
TO:	ICR NUMBER/OTHER REFERENCE	SOURCE NUMBER	DATE RECD BY DISSEMINATION ACTIVITY YEAR MONTH DAY			
THRU:	SII CODE(S)	TARGET COUNTRY (IES) LAOS/NORTH VIETNAM	DATE RECEIVED BY EVALUATOR YEAR MONTH DAY			
REASON FOR EVALUATION		3. ☐ SELECTED BY COL MGR	IR ORIGINATOR CIA			
1. ☐ ICR		4. ☐ SPECIAL REQUEST				
2. ☐ COLLECTOR'S REQUEST		5. ☒ ANALYST INITIATIVE				
A. IR RESPONDED TO		B. RELIABILITY OF INFORMATION		C. VALUE OF INFORMATION		
1. ☐ DIRM Part Three		1. ☐ Confirmed by other sources		1. ☐ High (Unique, Timely, and of Major Significance)		
2. ☐ CIR		2. ☒ Substantially true		2. ☒ Moderate (Contributory and Useful)		
3. ☒ ICR - If checked, ICR was satisfied		3. ☐ Cannot be judged		3. ☐ Low (Marginal)		
a. ☐ Completely		4. ☐ Doubtful		4. ☐ None (Of no use)		
b. ☒ Partially (If b or c checked, include Guidance in Remarks Section)		5. ☐ False		5. ☐ Cannot be judged (Analyst has no basis for value judgement)		
c. ☐ Not at all						
4. ☐ Other						
D. USABILITY OF INFORMATION						
1. ☒ Used or planned for use in product		2. ☒ Incorporated in Data Base		4. ☐ Not used (All responses require explanation in Remarks section)		
a. ☒ Basic Intelligence		a. ☐ Potentially Useful		a. ☐ Unreliable		
b. ☐ Current Intelligence		b. ☒ Background/Confirmatory		b. ☐ Too Fragmentary		
c. ☐ Estimative Intelligence		3. ☐ Stimulus for Intelligence Guidance or Requirement		c. ☐ Duplication		
d. ☐ Other				d. ☐ Not Pertinent to Needs		
NAME OF PRODUCT:						
REMARKS (Number and Classify each Paragraph) ***REEVALUATION***						
(U) Source claimed to have seen one U.S. pilot at Ban Nakay, Laos on or about 10 Oct 1965, and he claims to have seen another pilot parachute from a jet in Thanh Hoa Province, North Vietnam during Oct 1965. (U) The pilot source saw at Ban Nakay was possibly David L. Hrdlicka, USAF (PW). Source stated that the search for the pilot and his aircraft occurred between 10 and 16 Jan 1966. The search probably occurred in the same time frame as the downing particularly since source said the pilot was dressed in flight attire when observed. Hrdlicka was downed and captured on 18 May 1965, and source is probably confused about the date the incident occurred. However, his other information correlates well to Hrdlicka. The area in which source said the crash aircraft was found is in the immediate vicinity of Hrdlicka's location. Furthermore, the U.S. 105 designation mentioned equates to the F-105 Hrdlicka was flying. Source's description of the pilot does fit that of Hrdlicka. However, there is no information indicating that Hrdlicka was ever sent to North Vietnam, as source claimed he heard. (U) Regarding the pilot source claimed he saw parachute in October 1965, a search of the incidents that occurred in Thanh Hoa Province indicates George R. Hall, USAF (returnee) was downed in this province (20-16-00N/105-59-00E) on 27 September 1965, and his incident may equate to source's information. Source further stated that the pilot's aircraft						
EVALUATOR'S RELEASE and DISCLOSURE GUIDANCE (continued)						
1. ☐ Paragraph(s) _____ above are releasable to the government of _____						
2. ☐ Evaluation is Not Releasable 3. ☐ Releasable Evaluation Not Requested						
EVALUATOR'S ORGANIZATION: DIR-4H		NAME OF EVALUATOR: PENNY GARDNER		DOWNGRADING AND DECLASSIFICATION INSTRUCTIONS		
DATE EVALUATED		SIGNATURE OF APPROVING				
YEAR	MONTH	DAY				
7 5	0 8	2 9				

DD FORM 1480
1 JUN 73

EDITION OF APR 66, IS OBSOLETE.

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Continuation of REEVALUATION OF TDCS-314/04249-66

was a jet, bearing the number "101." Hall was pilot an RF-101, which could correlate to source's statement.

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 Jan 16-1966

NOTE

CONFIDENTIAL
 MISSING AND CAPTURED U.S. MILITARY PERSONNEL
 CHRONOLOGICAL NAME LIST
 HOSTILE MISSING

GRADE	SERVICE NO	SERVICE	COUNTRY OF CASUALTY	DATE OF CASUALTY
MAJ	28633753	AIR FORCE	LAOS	24 DEC 65
MAJ	54163	AIR FORCE	LAOS	24 DEC 65
CAPT	89846	MARINE CORPS	SOUTH VIETNAM	21 JAN 66
LT	62858	NAVY	SOUTH VIETNAM	22 JAN 66
AMIC	798918	NAVY	SOUTH VIETNAM	22 JAN 66
AURI	693826	NAVY	SOUTH VIETNAM	22 JAN 66
LT	669593	NAVY	SOUTH VIETNAM	22 JAN 66
ILT	287833	MARINE CORPS	SOUTH VIETNAM	24 JAN 66
ILT	281419	MARINE CORPS	SOUTH VIETNAM	24 JAN 66
PAJ	81583	MARINE CORPS	SOUTH VIETNAM	24 JAN 66
CAPT	376398	MARINE CORPS	SOUTH VIETNAM	24 JAN 66
SFC	1668859	ARMY	SOUTH VIETNAM	24 JAN 66
PAJ	29578	AIR FORCE	SOUTH VIETNAM	29 JAN 66
COR	513133	NAVY	NORTH VIETNAM	31 JAN 66
CAPT	59639	AIR FORCE	NORTH VIETNAM	01 FEB 66
LIC	25869	AIR FORCE	SOUTH VIETNAM	03 FEB 66
SSGT	1335844	AIR FORCE	SOUTH VIETNAM	03 FEB 66
SSGT	17613586	AIR FORCE	SOUTH VIETNAM	03 FEB 66
MAJ	66619	AIR FORCE	LAOS	18 FEB 66
PAJ	65862	AIR FORCE	LAOS	18 FEB 66

CONFIDENTIAL

USA

EXHIBIT #4

DEFENSE INFORMATION REPORT EVALUATION			INSTRUCTIONS: To be completed by Typewriter or Ball Point Pen		
CUSTOMER NUMBER B 390	IR NUMBER TDCS-314/04155-68	COLLECTION PROJECT NUMBER	IR DATE YEAR MONTH DAY 1965 12 2		
TO:	ICR NUMBER/OTHER REFERENCE	SOURCE NUMBER	DATE RECD BY DISSEMINATION ACTIVITY YEAR MONTH DAY		
THRU:	SII CODE(S)	TARGET COUNTRY (IES) LA	DATE RECEIVED BY EVALUATOR YEAR MONTH DAY		
REASON FOR EVALUATION		3. ☐ SELECTED BY COL MGR	IR ORIGINATOR CIA		
1. ☐ ICR		4. ☐ SPECIAL REQUEST			
2. ☐ COLLECTOR'S REQUEST		5. ☒ ANALYST INITIATIVE			
A. IR RESPONDED TO		B. RELIABILITY OF INFORMATION		C. VALUE OF INFORMATION	
1. ☐ DIRM Part Three		1. ☐ Confirmed by other sources		1. ☐ High (Unique, Timely, and of Major Significance)	
2. ☐ CIR		2. ☐ Substantially true		2. ☒ Moderate (Contributory and Useful)	
3. ☒ ICR - If checked, ICR was satisfied		3. ☒ Cannot be judged		3. ☐ Low (Marginal)	
a. ☐ Completely		4. ☐ Doubtful		4. ☐ None (Of no use)	
b. ☒ Partially (If b or c checked, include Guidance in Remarks Section)		5. ☐ False		5. ☐ Cannot be judged (Analyst has no basis for value judgement)	
c. ☐ Not at all					
4. ☐ Other					
D. USABILITY OF INFORMATION					
1. ☒ Used or planned for use in product		2. ☒ Incorporated in Data Base		4. ☐ Not used (All responses require explanation in Remarks section)	
a. ☒ Basic Intelligence		a. ☒ Potentially Useful		a. ☐ Unreliable	
b. ☐ Current Intelligence		b. ☐ Background/Confirmatory		b. ☐ Too Fragmentary	
c. ☐ Estimative Intelligence		3. ☐ Stimulus for Intelligence Guidance or Requirement		c. ☐ Duplication	
d. ☐ Other				d. ☐ Not Pertinent to Needs	
NAME OF PRODUCT:					
REMARKS (Number and Classify each Paragraph) ** RE-EVALUATION **					
Source stated that a USAF plane was shot down near Ban Na Kay in early June 1965 and that the pilot was captured and imprisoned in one of the caves. According to the source, who claimed he gave the pilot anti-malaria and other injections on about ten occasions, the pilot had blue or green eyes and thinning dark brown hair. The source was told that the pilot's name was Davis, Davit, or David and that Source further stated the pilot and one of his guards were killed when a relief guard fired in their direction. Additionally, source stated he heard that a USAF pilot, shot down in late 1965 in the Ban Na Kay area, had been captured by the Pathet Lao and died of malaria in 1966. The pilots referred to probably correlate to Charles E. Shelton and David L. Hrdlicka (both USAF unaccounted-for PWs). Although the incident dates source provided are in error, the Ban Na Kay shot down area correlates to both Shelton, downed on 29 April 1965, and Hrdlicka, downed on 18 May 1965. In other reports which have described two U.S. pilots and have been correlated to these individuals, it has been difficult to positively ascertain which of the PWs was Shelton and which was Hrdlicka. This difficulty is caused by the fact that the incident, descriptions, and confinement of these two individuals were quite similar. There have been other reports that one pilot was shot and another died of malaria.					
EVALUATOR'S RELEASE and DISCLOSURE GUIDANCE					
1. ☐ Paragraph(s) above are releasable in the government					
2. ☐ Evaluation is Not Releasable					
3. ☒ Releasable Evaluation Not Requested					
EVALUATOR'S ORGANIZATION		NAME OF EVALUATOR		DOWNGRADING AND DECLASSIFICATION INSTRUCTIONS	
DIR-4H		PENNY GARDNER			
DATE EVALUATED		SIGNATURE OF APPROVING OFFICER			
YEAR	MONTH	DAY			
75	09	12			

UNCLASSIFIED

CONTINUATION OF EVALUATION OF TDCS-314/04155-68

while in captivity. However, if these reports are true, it cannot be positively determined exactly which individual was shot and which died of malaria. Furthermore, sources reporting on these individuals may have provided confused and/or erroneous information.

In TDCS-314/04155-68 neither of the incident dates (early June 1966 and late 1965) equates to either Hrdlicka or Shelton. However, as previously mentioned, the Ban Na Kay incident location is accurate for both individuals. Source stated that the first PW had blue or green eyes, thinning dark brown hair and was named Davis, Davit or David. This description could refer to David Hrdlicka who does have brown hair and blue eyes. (Shelton has brown hair and brown eyes). However, the information that this pilot had three sons correlates exactly to the number of sons Shelton has, whereas Hrdlicka has only two sons.

Although a positive differentiation between the two pilots cannot be made, the report is of value for casualty resolution consideration inasmuch as it indicated both individuals died in captivity.

A copy of this report and evaluation will be placed in the files of Shelton and Hrdlicka.

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NOTE

~~CONFIDENTIAL~~
MISSING AND CAPTURED U.S. MILITARY PERSONNEL
CHRONOLOGICAL NAME LIST

POSTILE MISSING

NAME	GRADE	SERVICE NO	SERVICE	COUNTRY OF CASUALTY	DATE OF CASUALTY
ALBERTON, ROBBY JOE	TSCT	19537917	AIR FORCE	NORTH VIETNAM	31 MAY 66
CASE, THOMAS FRANKLIN	PAJ	3886544	AIR FORCE	NORTH VIETNAM	31 MAY 66
EDMONSON, WILLIAM ROTHROD	CAPT	3158434	AIR FORCE	NORTH VIETNAM	31 MAY 66
HARWORTH, ELROY EDWIN	SSGT	17567844	AIR FORCE	NORTH VIETNAM	31 MAY 66
HEROLD, NED RAYMOND	CAPT	3131266	AIR FORCE	NORTH VIETNAM	31 MAY 66
MC DONALD, ENNETT RAYMOND	CAPT	74874	AIR FORCE	NORTH VIETNAM	31 MAY 66
MAGLAND, DAYTON WILLIAM	LTC	1918271	AIR FORCE	NORTH VIETNAM	31 MAY 66
SHINGLEDECKER, ARMON D	CAPT	3148892	AIR FORCE	NORTH VIETNAM	31 MAY 66
STEEN, MARTIN WILLIAM	CAPT	55885	AIR FORCE	NORTH VIETNAM	31 MAY 66
ATICKNEY, PHILLIP JOSEPH	SSGT	12443156	AIR FORCE	NORTH VIETNAM	31 MAY 66
ZIMOR, HAROLD JACOB	CAPT	3137281	AIR FORCE	NORTH VIETNAM	31 MAY 66
KRYSZAK, THEODORE EUGENE	MAJ	3819659	AIR FORCE	NORTH VIETNAM	31 MAY 66
MARTIN, RUSSELL DEAN	CAPT	3131868	AIR FORCE	LAOS	03 JUN 66
MULLINS, HAROLD EUGENE	TSCT	16374414	AIR FORCE	LAOS	03 JUN 66
MOSE, LUTHER LEE	TSCT	25919253	AIR FORCE	LAOS	03 JUN 66
SMITH, HARDING EUGENE SM	LTC	42179	AIR FORCE	LAOS	03 JUN 66
WARREN, ERVIN	TSCT	13581482	AIR FORCE	LAOS	03 JUN 66
HARRIS, GREGORY JOHN	SGT	2877294	MARINE CORPS	SOUTH VIETNAM	12 JUN 66
BURRART, CHARLES V JR	PAJ	3856843	AIR FORCE	LAOS	13 JUN 66
LEER, EVERETT OSCAR	CAPT	3882286	AIR FORCE	LAOS	13 JUN 66

PAGE 0

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NOTE

~~CONFIDENTIAL~~
MISSING AND CAPTURED U.S. MILITARY PERSONNEL
CHRONOLOGICAL NAME LIST

NAME	GRADE	HOSTILE MISSING		COUNTRY OF CASUALTY	DATE OF CASUALTY
		SERVICE NO	SERVICE		
SULLIVAN, JOHN BERNARD III	CAPT	3132135	AIR FORCE	NORTH VIETNAM	21 JUN 66
SMITH WARREN PARKER JR	MAJ	31766	AIR FORCE	LAOS	22 JUN 66
TELTS WILLIAM JR	PFC	14844342	ARMY	SOUTH VIETNAM	24 JUN 66
PARK, CHARLES WELDON	LT	669277	NAVY	NORTH VIETNAM	25 JUN 66
SMITH GENE ALBERT	LCOR	345334	NAVY	NORTH VIETNAM	27 JUN 66
GAGE, ROBERT HUGH	CPL	2128584	MARINE CORPS	SOUTH VIETNAM	03 JUL 66
HESTLE ROOSEVELT JR	LTC	42987	AIR FORCE	NORTH VIETNAM	06 JUL 66
MORGAN, CHARLES ELIZ	PAJ	3087970	AIR FORCE	NORTH VIETNAM	06 JUL 66
TOMES, JACK H	MAJ	65155	AIR FORCE	NORTH VIETNAM	07 JUL 66
WILKINS, GEORGE HENRY	LCOR	604485	NAVY	NORTH VIETNAM	11 JUL 66
DIAMOND, STEPHEN WHITMAN	CAPT	3147934	AIR FORCE	NORTH VIETNAM	19 JUL 66
BARBAY, LAURENCE	MAJ	3054827	AIR FORCE	NORTH VIETNAM	28 JUL 66
LEWIS, MERRILL RAYMOND JR	PAJ	3014599	AIR FORCE	NORTH VIETNAM	28 JUL 66
MC DANIEL NORMAN ALEXANDE	CAPT	53937	AIR FORCE	NORTH VIETNAM	28 JUL 66
MEANS WILLIAM HARLEY JR	PAJ	3058983	AIR FORCE	NORTH VIETNAM	28 JUL 66
NELSON WILLIAM HUMPHREY	COL	33450	AIR FORCE	NORTH VIETNAM	28 JUL 66
MOBERT CRAIG ROLAND	CAPT	3148116	AIR FORCE	NORTH VIETNAM	28 JUL 66
JEFFIN RAINFORD	CAPT	3117459	AIR FORCE	NORTH VIETNAM	21 JUL 66
NEWSON BENJAMIN BYRD	LTC	2217686	AIR FORCE	NORTH VIETNAM	23 JUL 66
PENBERTON, GENE THOMAS	LTC	26332	AIR FORCE	NORTH VIETNAM	23 JUL 66

PAGE 4

~~CONFIDENTIAL~~

EXHIBIT #5

ROUTINE

91 APR 26 10:19

NOT

R 261800Z APR 91 SV 292507P25

FM DIA WASHINGTON DC//PM-MIA//

TO (DAO BANGKOK TH//PM-MIA//

INFO JCRC LIAISON BANGKOK TH

AME: ASSY VIENTIANE

HQ: MPC RANDOLPH AFB TX//DPMCB//

AME: ASSY BANGKOK//DEA COUNTRY ATTACHE/DAO//

CDR JCRC BARBERS PT HI

SECSTATE WASHINGTON DC//EAP/VLC//

HQ DEA WASHINGTON DC//OH//

BT

0410/PM-MIA

SUBJ: FURTHER CONTACT WITH LAO SOURCE OF PM INFO

REFS: A. CORUSADPCGP MSG 011501Z JUN 90, SUBJ: IIR

2246 01090/HEARSAY RE U.S. MIA ALLEGEDLY ALIVE IN LAOS

B. DIA/POK-MIA MSG 121505Z JUN 90, SUBJ: SOURCE DIRECTED

REQUIREMENT, SDR S-VDP-05346

C. USDAO BANGKOK TH//PM-MIA// MSG 220907Z JUN 90, SUBJ:

RESPONSE TO SDR S-VDP-05346

D. DIA//CV(DEA-DRE)// MSG 251902Z OCT 90, SUBJ: IIR

6010704191/HARCOTICS STORAGE SITE/REFINERY AT BAN LAKSAD

1. REF A INCLUDED A REPORT FROM LAO SOURCE ^{SOURCE} DATED JUNE 1989, AS FOLLOWS: "I AM TALKING TO COL CHAENG (BRIG GEN) PL COMMANDER OF THE 11TH REGIMENT AT KHAM KEUT, KHAM MOUANG PROVINCE. SUSPECTING OF HOLDING D. HERLICKA AND FRIENDS. THE OUTCOME OF MY CONVERSATION WILL BE RELAYED TO YOU SOON." REF B WAS REQUEST THAT ^{SOURCE} BE INTERVIEWED AS TO HIS KNOWLEDGE OF AMERICAN DAVID HERLICKA, MISSING IN LAOS SINCE MAY 1965. DURING STONY BEACH INTERVIEW, REPORTED IN REF C, ^{SOURCE} WOULD NOT RESPOND TO SPECIFIC QUESTIONS ON THE "HERLICKA" CASE, HOWEVER, DID SAY THAT HE HAD INFORMATION FROM COL CHAENG THROUGH COL BOUA THAT HERLICKA WAS HELD IN THE VICINITY OF LAK XAO.

2. PARA 1, REF D STATES IN PART, AS FOLLOWS: ^{DATA} INDICATES GENERAL CHAENG CHAINONG, A LAO PEOPLE'S ARMY COMMANDER IS INVOLVED IN NARCOTICS TRAFFICKING. GEN. CHAENG IS ALSO THE CHIEF OF THE PHATANA PHU DOI COMPANY IN THE KHAMMUAN, SAVANNAKHET, AND BOLIKHAMXAI PROVINCES. INVOLVED WITH GEN. CHAENG IS THE GOVERNOR OF KHAMMUAN PROVINCE (LAO PEOPLE'S DEMOCRATIC REPUBLIC)." IT SHOULD

DLVR:CDR JCRC BARBERS PT HI(3)...INFO

RTD:000-000/COPIES:0003

292507/2633/117
CSN:RXBP0191

1 OF 2 MI 0257

117/07:27Z 261800Z APR 91
DIA WASHINGTON DC//PM-MIA//

NOFORN

PAGE:0002

5USC 552 (b) (2)

FM JOINT STAFF WASHINGTON DC
 INFO RUENAAA/CNO WASHINGTON DC
 RUEAHQA/CSAF WASHINGTON DC
 RUEACHC/CMC WASHINGTON DC
 RUEDADA/AFIS AMHS BOLLING AFB DC
 RUETIAQ/HPCFTGEORGECEADEMD
 RUEAIIA/CIA WASHINGTON DC
 RUEHC /SECSTATE WASHINGTON DC
 RUEAMCC/CMC CC WASHINGTON DC
 RUCQVAB/USCINCSOC INTEL OPS CEN MACDILL AFB FL
 RUEALGX/SAFE

5USC 552 (b) (2)

FM CDRUSAOPSGP FT GEORGE G MEADE MD //IAGPC-L//
 TO RUEKJCS/DIA WASHDC //DAM-1B/PW-MIA//
 INFO ZEN/CDRUSAOPSGP FT GEORGE G. MEADE MD //IAGPC-CH//
 RUDHAAA/CDRINSCOM FT BELVOIR VA //IAOPS-H-C//
 RUEADWD/DA WASHDC //DAMI-POH/DAMI-FII//
 RUEHBK/JCRC LIAISON BANGKOK TH
 RUHQBP/CDR JCRC BARBERS PT HI
 RHWMP/CDR AFMPC RANDOLPH AFB TX //DPHCB//

BT
 CONTROLS

~~SECRET NOFORN~~

PASS: DIA/PW-MIA FOR J. TRAVIS

QQQQ

SECTION 01 OF 02

SERIAL: (U) IIR [REDACTED] 5USC 552 (b) (2)

/***** THIS IS A COMBINED MESSAGE *****/

BODY

COUNTRY: (U) LAOS (LA); VIETNAM (VN).

SUBJ: IIR [REDACTED] 5USC 552 (b) (2)
 HEARSAY, RE U.S. MIA ALLEGEDLY
 ALIVE IN LAOS (U).

WARNING: (U) THIS IS AN INFO REPORT, NOT FINALLY EVALUATED
 INTEL. REPORT CLASSIFIED ~~SECRET~~ NOFORN.

 DEPARTMENT OF DEFENSE

DOI: (U) 891212.

REQS: (U) [REDACTED] 5USC 552 (b) (2)

~~SECRET~~

NOFORN

HEDARKA, DAVID L.

NOFORN

NOTE

PAGE:0003

SOURCE: (C/NOR) // [REDACTED]

5USC552 (b) (1)
6USC 552 (b) (7) (D)

SUMMARY: (S/N) [REDACTED]

TEXT: (U)

1. (S/N) SYNOPSIS. [REDACTED]

5USC552 (b) (1)

2. (S/N) BACKGROUND. [REDACTED]

3. (S/N) CORRESPONDENCE IN REFERENCE TO U.S. MIA.

-----TEAR LINE-----
--UNCLASSIFIED

A. (U) EXCERPT NAMING POSSIBLE MIA. THE FOLLOWING WAS TAKEN FROM A LETTER FROM SUBJECT 1 TO SUBJECT 2 DATED 27 JUN 1989, BANGKOK. "I AM TALKING TO COL CHAENG (BRIG GEN) PL COMMANDER OF THE 11TH REGIMENT AT KHAM KEUT, KHAM MONAME PROVINCE. SUSPECTING OF HOLDING D. HERLICKA AND FRIENDS. THE OUTCOME OF MY CONVERSATION WILL BE RELAYED TO YOU SOON.

--UNCLASSIFIED
-----TEAR LINE-----

B. (S/N) [REDACTED]

5USC552 (b) (1)

C. (S/N) [REDACTED]

~~SECRET~~

NOFORN

~~SECRET~~

NOFORN

SUSC552 (b) (1)

PAGE:0004

D. (S.M.F.)

SPECIAL COLLECTOR'S COMMENTS (U).

1. (S.M.F.) SEARCH OF MIA RECORDS. DIA PERSONNEL MISSING IN ACTION COLLECTION SUPPORT DATA BASE LISTS AS MISSING IN ACTION -

NAME	SERNO	SERVICE	DOB	DATE/PLACE OF LOSS
HRDLICKA, DAVID LOUIS	72541FR	USAF	311230	650518 LA

2. (S.M.F.) RELEASE OF INFORMATION TO NEXT OF KIN. DUE TO THE POSSIBLE CORRELATION OF THE NAME PROVIDED IN THIS REPORT WITH THE EVENT RECORDED IN DIA MISSING IN ACTION RECORDS, THIS REPORT IS FORWARDED TO DEPARTMENT OF THE AIR FORCE PERSONNEL FOR POSSIBLE RELEASE OF PERTINENT INFORMATION ELEMENTS IN PARAGRAPH 3, A (U) TO NEXT OF KIN AS DEEMED APPROPRIATE. THIS REPORT IS CLASSIFIED SECRET/NOFORN TO PROTECT SENSITIVE SOURCES AND METHODS. ORIGINATOR HAS DECLASSIFICATION AUTHORITY AND MUST BE NOTIFIED FOR RELEASE OF ANY INFORMATION IN THIS REPORT OTHER THAN SUB-PARAGRAPH CITED.

COMMENTS: (U) THIS IS THE SECOND OF TWO REPORTS FROM SOURCE. THE FIRST WAS IIR [REDACTED] HEARSAY, RE U.S. MIA/C47 CREW ALLEGEDLY ALIVE IN LAOS. SOURCE PROVIDED THE INFORMATION IN THIS REPORT WILLINGLY AND WITHOUT EVASION. ANY EVALUATIONS IN RESPONSE TO THIS IIR SHOULD BE FORWARDED TO: CDRUSAOPSCF FT GEORGE G. MEADE MD//IAGPC-L/IAGPC-CH/PW.

//IPSP: (U) PG 2430//.

//COMSOBJ: (U) 521//.

ADMIN

PROJ: (U) [REDACTED]

COLL: (U) VK.

INSTR: (U) US: NO.

ENCL: (U) FOUR ENCL TO FOLLOW -

1. (U) HANDWRITTEN LETTER (U), 1 CY, 890627, 3PG (U), ENGLISH.
2. (U) LETTER (U), 1 CY, 891128, 1P (U), ENGLISH.
3. (U) FAX (U), 1 CY, 891202, 1P, (U), ENGLISH.
4. (U) FAX (U), 1 CY, 891202, 1P, (U), ENGLISH.

PREP: (U) 2-10321.

ACQ: (U) FT GEORGE G. MEADE, MD (900426).

DISSEM: (U) FIELD: NONE; SENT TO: DIA//RTS-2B/PW-MIA//

WARNING: (U) REPORT CLASS SECRET NOFORN -- SOURCE PARA NOT RELEASABLE TO FOREIGN NATIONALS.

DECL OADR

BT

#0347

NNN:

NOFORN

SUSC 552 (b) (2)

15 rows ~~1008~~ 6

076

EXHIBIT# 6

Ivan ~~Sh~~ Hedrick,
24 Pravda street,
Moscow, USSR,

Dear Mrs. Evans.

In your letter you ask me whether I have any information on the destiny of your husband. I have visited the liberated areas of Laos several times in last three years but neither met your husband among the prisoners of war nor seen his name in the lists of the american fliers shot down over Laos.

I have met David Hedrick,
had an opportunity to talk to him
and I think he is really Hedrick
and not your husband.

I haven't met your husband's
name in the lists of captured american
list of american

077 (12)
much were published in the Democratic Republic of Vietnam.

Your attempts to find your husband, Mrs. Evans, are hindered by the fact that the United States don't recognize officially that they are at war in Laos. As is known, Pentagon doesn't admit the fact that hundreds of American planes have been shot down over Laos, and hundreds of pilots have been killed or captured in Laos. The life in the liberated areas is really hard. They are being bombed by the American aviation day and night, thousands of towns and villages are ruined.

Excuse me for not answering your
previous letters

Sincerely yours, *Alfred*
(Ivan Sticherov)

17 July 1968

NOTE

TRANSLATION OF THE WRITTEN TESTIMONY OF MRS. IVAN SHCHEDROV
GIVEN AT MOSCOW, RUSSIA ON 6 JUNE 1993

~~6 June~~ 1993

Dear Carol:

Excuse me for writing in Russian. I hope your friend who speaks Russian will translate it for you.

I've been anxiously anticipating our meeting. I admire you, your ability to wait and to have hope -- 28 years is such an incredibly long time for one to be waiting!

I was surprised to learn that you have received word that David died in 1966. How could that possibly be? My husband, Ivan Shchedrov, who at the time was the correspondent for the newspaper PRAVDA in Indochina, saw Col. David L. Mrdlicka in Laos in Sam Neua in the spring of 1969 (April - May).

Ivan heard him at a press conference in Sam Neua. The press conference was conducted by Sien Sien, one of the leaders of the Laotian Patriotic Front. After the press conference, Ivan talked to your husband, knowing that David was of Czech heritage. David didn't complain about the conditions of his captivity and expressed gratitude to the Laotians for the medical attention he received. Evidently, he hoped this would help him get back home.

Honestly speaking, I thought David had been returned to you. The fact that this was not the case became known to me from some of the group of family members who came to Moscow in search of Americans missing in action from the Indochina War. I have the business card which they left me. It reads:

Russian-American POW-MIA
Deborah Robertson Bardsley
425 Park Avenue, 22nd floor
New York, NY 10022

10341 Cenogn Avenue #14,
Chataworth, CA 91311 (818) 773 - 9396
(fax) 310 312-6065

I'm writing all this information down for you in the hope that it helps you find people who, like yourself, await their loved ones.

My sweet Carol, I wish for your sake and mine that David is alive and that you will find each other. To comfort you, let me tell you that of all the Indochinese the Laotians are the kindest, most gentle and least acquainted with cruelty -- thus it seems to me. I spent a lot of time with them.

Page 2 - Mr. Shchedrov's letter to
Carol Hrdlicka

NOTE

I pray to God that this helps David survive his imprisonment among them.

I embrace you,
ASA SHCHEDROV

EXHIBIT #7

COL HRDLICKA BRIEF FOR DEPUTY SECRETARY FOR VETERAN'S AFFAIRS
26 OCT 1993 *Gober*

Intro:

- * Good morning, I am ...
- * Will be briefing you on the David L. Hrdlicka case
- * The Hrdlicka case is unique because we have positive proof that he was captured and held by Pathet Lao forces. -- show photo --
- * Because of this photo and supporting source reporting, the Hrdlicka case is one of our LKA discrepancy cases.
- * While preponderance of reporting suggests death, a determination of fate has not yet been made by DPMO.
- * *→* Hrdlicka case thoroughly reviewed by the Senate Select Committee for POW-MIA Affairs. Investigators, ~~who were looking for a smoking gun~~ found nothing irregular/improper.
- * Will continue to pursue case until we either recover Capt Hrdlicka's remains or obtain satisfactory documentation relative his fate.

Summary:

- * Description of Loss Incident
- * Known facts
- * Summary of Source Reporting
- * DPMO best guess
- * NOK's grievance
- * Ongoing operations.

Body:

Loss Incident

- * Captain David Louis Hrdlicka.
- * Air Force F-105 pilot.
- * Shot down over Houa Phan Province, Laos on 18 May 1965.
- * Successfully ejected and parachuted to ground.
- * Captured armed by local villagers. Observed by other pilots being led away to nearby village.
- * Heavy ground fire precluded rescue.
- * Helo-inserted team landed in friendly village and learned that pilot had been captured by Pathet Lao.

Known Facts

- * Col Charles Shelton, an RF-101 pilot shot down and captured over same area 3 weeks earlier. The capture of two pilots in same area makes specific correlation difficult.
- * 24 May 65 Pathet Lao released statement acknowledging the capture of Hrdlicka.
- * Several months after Hrdlicka's capture, photo appeared in Pravda.
- * 22 July 65 Vietnamese magazine carried a story on his capture.
- * 26 July 65 Hrdlicka read a letter to the Red Prince Souphanouvong over Pathet Lao radio. Letter acknowledged criminal nature of his mission, and requested his freedom.
- * 18 May 67, Phoumi Vongvichit, Sec Gen of PLF, confirmed Hrdlicka's capture.

to Canadian Minister of External Affairs.

Case narrative passed to Lao officials on numerous occasions, to include:
League during Sep 82 visit.

Richard Childress Jun 85 tech talks.

25 Sep 82 Lao official, Col Khamla Keophithoune, tells League that Capt Hrdlicka kept in Sam Neua cave until 1968 when he died of natural causes exacerbated by malnutrition. Hrdlicka buried and grave subsequently hit by U.S. bombs.

U.S. teams have visited cave where Hrdlicka kept with witnesses and searched for grave with no success.

Are attempting to locate additional witnesses who may have locational data.

Source Reporting

Have received numerous reports from defectors and captured Lao soldiers.

Two early reports suggest Hrdlicka taken to Vietnam.

* One known not to correlate to Capt Hrdlicka because we have a large number of reports which place Hrdlicka in the Vieng Xai area well after the report was published.

* The other early report of movement is not as clear-cut, however the preponderance of reporting suggests Hrdlicka never left the caves of Vieng Xai. It should also be noted that no prisoners held in Vieng Xai were ever seen in Vietnam.

* Have received one other report of Capt Hrdlicka being moved to Vinh, Vietnam, but it originated from a source with ulterior motives. This source had no supporting documentation and admitted that he had no basis for the report. It should be noted that we also sent an LSI investigator into the Vinh area in 1992 looking for another serviceman. Investigator found no indications of American captives in the area.

* Have received numerous reports suggesting death; one identified the American as Davis/Davit/David, another identified the American as David K. Causes of death range from disease and malnutrition to accidental gunshot wound.

* Dates of death range from 1965-1968. Official Lao position in 1982 was 1968 death. Since Gen Sec Vongvichit mentioned Hrdlicka in 1967, suggest death occurred after that.

* Mrs. Hrdlicka recently made reference to a 1973 report that Hrdlicka was alive in Vieng Xai cave in 1972. Source, whose reporting lacked consistency, claims to have seen 7 other Caucasians and three Oriental women. As is often the case, we could find nothing to corroborate or refute this source's reporting. However, as mentioned earlier, the bulk of the reporting suggests Hrdlicka died sometime during or before 1968.

* One of our more credible sources stated that Hrdlicka died during rainy season of 67 (Oct).

* Have identified and spoken to two firsthand and several hearsay witnesses who participated in the burial of Hrdlicka (1992). Several of these men accompanied investigation teams to Inss area.

* Recently received the translation of a letter from wife of Pravda writer to Mrs. Hrdlicka. In this letter, she claims that her husband interviewed Hrdlicka in Sam Neua during Apr 69. While HPMO can't confirm or refute this claim, analysts believe wife's report may be off by a year or two. An April 67 or 68 interview would be a strong possibility.

NOTEDPMO Best Guess

DPMO believes Capt Hrdlicka died in 1968 from malaria, some unidentified fever, or dietary complications exacerbated by the lack of food and medicine in the area.

Carol Hrdlicka's Grievance

- * Probably begins with the secret nature of the war in Laos.
- * Many activists subscribe to the black hole theory -- So many downed, so few returned --
- * Have done extensive research on subject and determined that Laos was not a black hole. The Senate Select Committee also found nothing to support the black hole theory.
- * Mrs. Hrdlicka does not believe she has been shown all the reporting on her husband.
- * By law, we are required to provide all information which has been correlated to Capt Hrdlicka to her. She has been provided copies of all reporting. Mrs. Hrdlicka has a habit of overlooking any reports which suggest death and focuses on those reports that suggest he survived.
- * Mrs. Hrdlicka claims DPMO is not responsive to her needs.
 - * In her 14 October letter to Mr. Freeman she states that Mr. Trowbridge failed to respond to her request. What she is not mentioning is that her questions were all answered in our letter of 6 August which was sent to her by Air Force Casualty on 24 August. (ASIN RSA)
- * Mrs. Hrdlicka accepts all reporting from POW activists as the gospel and has only selective recall of DPMO/DIA reporting/analysis.
 - * Prime example: Joyce Cook interview with Chuck Trowbridge.
- * Fails to share information she has with this office.
 - * Recently mentioned a 1993 sighting of Hrdlicka in Moscow. Although DPMO has requested a copy of the report, Mrs. Hrdlicka has failed to respond.
- * Mrs. Hrdlicka tends to have selective hearing. During a meeting with Russian General Kondaurou last summer, she claims the Russians provided a computer listing of POWs names to the American side which was never forwarded to her. During reinterview, the General said she misunderstood what he said. The only computer listing he recalls mentioning was the listing of U.S. representatives provided him.

Ongoing Operations

- * As mentioned in introduction, Hrdlicka case is a LKA discrepancy case. As such, it will be the subject of an LKA investigation once Lao approval obtained.
- * Vieng Xai area has been nominated for LSI investigation.
- * *Pha Deng area* Vieng Xai area has been covered by clan assets and remains a target.
- * Attempting to locate additional firsthand witnesses.
- * Pursuing leads through archival research.
- * Attempting to obtain original Hrdlicka documents which the Lao claim to have lost.

Soth Petrasz

CONFIDENTIAL
DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20301

WINNING PAPERS

EXHIBIT #8

C-109/DC

MEMORANDUM FOR BGEN SHUFELT (VO)

SUBJECT: The POW/MIA Issue (U)

1. (C) I was not at all pleased with the situation I found when I took over responsibility for the POW/MIA issue. The deeper I looked, the less professional the operation appeared. It appeared to be particularly sloppy in the late seventies, but it is by no means a squared-away operation today. As a professional intelligence officer with a significant portion of my career spent as an analyst, I found the following to be particular problems:

a. Case files were incomplete, sloppy, and mixed up. Loose papers, undated scribbled analyst notes, misfiled papers, etc., and generally unprofessional.

b. There were no action logs in the cases or where there were logs, entries had not been made in a long time.

c. Follow-up actions had not been pursued. In some cases, obvious follow-up actions were called for but were never taken and years had passed.

d. There was no tickler system to ensure that we followed up on our own tasking. Thus, we might have tasked imagery or tasked JCRC years ago, never got a response, and never followed up.

e. Efforts to recontact sources in the U.S. were perfunctory at best and normally amounted to merely trying to contact them by telephone rather than using local DoD or law enforcement agencies to track them down and then calling on them in person.

f. We had never employed some of the most basic analytic tools such as plotting all sightings on a map to look for patterns, concentrations, etc.

2. (C) Thus, there is a great element of truth in General Tighe's statements that we have done a sloppy job. I come to the same conclusion after having looked into the issue probably in somewhat more detail than General Tighe, but not for as long a period of time.

3. (C) With regard to the allegation of a mindset to debunk, we must conclude that there is an element of truth to this as well, although probably not as much as has been publicly stated. In fairness to DC-2, a good measure of this is attributable simply to human nature. The analysts have seen so many fabrications for so long that their first subconscious reaction is "this is just more of the same garbage". And most of it is. But some may not be. Frustrating as it all is, they have got to run all the leads to the ground. They have not been doing this as faithfully as they should. Thus, the "mindset to debunk" charge and

CLASSIFIED BY DC
DECLASSIFY ON OADR

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PAGE 2

WORKING PAPERS

~~The "sloppy analysis" charge are closely related. The former causes the latter. The leadership of DC-2 (the O-6, Deputy, and senior analyst) must be the conscience of the organization to preclude this mindset taking hold and so closely monitor the work. This they definitely have not done well over the years.~~

4. (C) I am not persuaded that enough assets are being dedicated to this problem. If it is the top priority problem we claim it is. In particular, I wonder if JCRC is adequately manned, whether we have enough polygraph operators available, etc. I would not be able to make a judgment on this without actually having visited JCRC and the camps, which I have not had an opportunity to do. I would encourage you to do this early in your time here so you can draw conclusions regarding the adequacy of our level of effort in the field. Without firsthand exposure, my observations in this area fall into the category of gut feelings rather than researched opinions.

5. (C) A key area which requires attention is DIA's image -- how we are perceived to be doing our job rather than (or in addition to) how we really are doing it. We need to portray an image of open-minded, objective professionals who take this business very seriously and are willing to talk to anyone who might be able to provide us information. This includes the Bellies, Garwoods, and the lunatic fringe.

6. (C) I see the most important thing we must do right now is to be cementing relationships on the Hill. We have not done as well there as we should. It is clear that Congressman Hendon will be using our files to discredit us (and he will have lots of ammunition there). We need to assure that we have formed the necessary alliances with HPSCI and the Asian-Pacific Affairs committees, their staffers, and their chairman that we receive support in our efforts to damage him (omit Congressman Hendon).

7. (C) I am afraid we are in for some troubled times. We have not done our job as well as we should have in days passed and we will not withstand scrutiny. Yet we will receive plenty of scrutiny in days to come. We must make all preparations to minimize the criticism this scrutiny will bring. I have attached a list of action items which I believe are required to accomplish this. I have already tasked DC-2 in these areas, but close monitoring and some personal involvement will be called for. I stand by to help in any way I can.

Very respectfully,

Thomas A. Brooks
THOMAS A. BROOKS
Colonel, USA

Assistant Deputy Director
for Collection Management

3000047

POW/MIA CHIEF RESIGNS

Hopes that our government might find some prisoners of war or men missing in action were again dashed when Colonel Millard A. Peck, Chief of the POW/MIA section of the Defense Intelligence Agency (DIA) resigned February 12, 1991. Col. Peck left behind a resignation letter that renewed fears of a 'government cover-up' that extends from Operation Desert Storm back through the Vietnam War, Korean War, into the World Wars, fifty and seventy years ago. Because the DIA is subject to review by several agencies between it and the President of the United States, secrecy and silence hamper efforts to locate and recover troops not returned at war's end.

Here is the text of the resignation letter:

1. PURPOSE: I hereby request to resign my position as the Chief of the Special Office for Prisoners of War and Missing in Action. (POW/MIA)



POW/MIA Chief

when dealing with or mentioning the office, always spoke about it in deprecating tones, alluding to the fact that any report which found its way there would quickly disappear into a "black hole."

c. General Attitudes. Additionally, surveys of active duty military personnel indicated that a high percentage (83%) believed that there were still live American prisoners in Vietnam. This idea was further promulgated in a number of legitimate veterans' periodicals and professional journals, as well as the media in general, which held that where there was so much smoke there must be fire.

d. Cover up. The darkness of the issue was particularly unsettling because of the persistent rumors and innuendoes of a government conspiracy, alleging that U.S. military personnel had been left behind to the victorious communist governments in Vietnam, Laos, and Cambodia, and that for "political reasons" or running the risk of a second Vietnam War, their distance was officially denied. Worse yet was the implication that DIA's Special Office for POWs and MIAs was an integral part of this effort to cover the entire affair up to the Defense Establishment.

e. The Crusade. As a Vietnam veteran with a certain amount of experience in Indochina, I was interested in the entire POW-MIA question, and willingly volunteered for the job, viewing it as a sort of holy crusade.

f. The Harsh Reality. Heading up the office has not been pleasant. My plan was to be totally honest and forthcoming on the entire issue and aggressively pursue innovative actions and concepts to clear up the live sighting business, thereby refurbishing the image and honor of the DIA. I became painfully aware, however, that I was not really in charge of my own office, but was merely a figurehead or whipping boy for a larger and totally

2. BACKGROUND

a. Motivation. My initial acceptance of this posting was based upon two primary motives: first, I had heard that the job was highly contentious and extremely frustrating, that no one would volunteer for it because of its complex political nature. This, of course, made it appear challenging. Secondly, since the end of the Vietnam War, I had heard the persistent rumors of American Servicemen having been abandoned in Indochina, and that the Government was conducting a "cover-up" so as not to be embarrassed. I was curious about this and thought that serving as the chief of POW-MIA would be an opportunity to satisfy my own interest and help clear the Government's name.

b. The Office's reputation. It was interesting that previous exposure to the POW-MIA Office, while assigned to the DIA, both as a Deputy Director for Intelligence (DDI) and as the Chief of the Asia Division for Current Intelligence (JSI-3) was negative. DIA personnel who worked for me,

Machiavellian group of players outside of DIA. What I witnessed during my tenure as the cardboard cut-out "Chief" of the POW/MIA could euphemistically be labeled as disillusioning.

3. CURRENT IMPRESSIONS, BASED ON MY EXPERIENCE

a. Highest National Priority. That National leaders continue to address the prisoner of war and missing in action issue as the "highest national priority" is a travesty. From my vantage point, I observed that the principal government players were interested primarily in conducting a "damage limitation exercise" and appeared to knowingly and deliberately generate an endless succession of manufactured crises and "busy work". Progress consisted in frenetic activity, with little substance and no real results.

b. The Mindset to Debunk. The mindset to "debunk" is alive and well. It is held at all levels, and continues to pervade the POW/MIA Office, which is not necessarily the fault of the DIA. Practically all analysis is directed to finding fault with the source. Rarely has there been any effective, active follow through on any of the sightings, nor is there a responsive "action arm" to routinely and aggressively pursue leads. The latter was a moot point, anyway, since the Office was continuously buried in an avalanche of "ad hoc" taskings from every quarter, all of which required an immediate response. It was impossible to plan ahead or prioritize courses of action. Any real effort to pursue live sighting reports or exercise initiative was diminished by the plethora of "busy work" projects directed by higher authority outside DIA. A number of these grandiose endeavors bordered on the ridiculous due to significant taskings there was never an audit trail. None of these taskings was ever requested formally. There was, and still is, a refusal by any of the players to follow normal intelligence channels in dealing with the POW/MIA office.

c. Duty, Honor, Integrity. It appears that the entire issue is being manipulated by

unscrupulous people in the Government, or associated with the Government. Some are using the issue for personal or political advantage and others use it as a forum to perform and feel important, or worse. The sad fact, however, is that this issue is being controlled and a cover up may be in progress. The entire charade does not appear to be an honest effort and may never have been.

d. POW/MIA Officers Abandoned. When I assessed the office for the first time, I was somewhat amazed and greatly disturbed by the fact that I was the only military officer in an organization of more than 40 people. Since combatants of all services were lost in Vietnam, I would have thought there would at least be a token service representation for a matter of the "highest national priority". Since the normal mix of officers from all services is not found in my organization it would appear that the issue, at least at the working level, has, in fact, been abandoned. Also, the horror stories of the succession of military officers at the 0-5 and 0-6 level who have in some manner "rocked the boat" and quickly come to grief at the hands of the Government policy makers who control the issue, lead one to the conclusion that we are all quite expendable, so by extrapolation one simply concludes that these same bureaucrats would "sacrifice" anyone who was too sincere or contentious in pursuing prisoners of war and missing in action. I thought. Any military officer expected to survive in this environment would have to be myopic, an accomplished sycophant, or totally insouciant.

e. The DIA Involvement. DIA's role in the affair is truly unfortunate. The overall Agency had generally practiced a "damage limitation drill" on the issue, as well. The POW/MIA Office had been cloistered for all practical purposes and left to its own fortunes. The POW/MIA Office, at the lowest level in the Government, was not to mention the fact that the DIA, as an intelligence organization, has become the "lightning rod" for the entire establishment

EXHIBIT # 9

POW/MIA Chief Con't.

on the matter. The policy people manipulating the affair have maintained their distance and remained hidden in the shadows, while using the Office as "a waste dump" to bury the whole mess out of sight and mind in a facility with limited access to public scrutiny. Whatever happens in the issue, DIA takes the blame, while the real players remain invisible. The fact that the POW/MIA Office is always the center of an investigation is of no surprise. Many people suspect that something is rotten about the whole thing, but cannot find an audit trail to ascribe blame, so they attack the DIA/POW/MIA "dump" simply because it has been placed in the line of fire as a cheap, expendable decoy.

1. "Suppresso Veri Suggesto Falsi". Many of the puppet masters play a confusing murky role. For instance, the Director of the National League of Families occupies an interesting and questionable position in the whole process. Although assiduously "churning" the account to give a tawdry illusion of progress, she is adamantly opposed to any initiative to actually get to the heart of the problem, and, more importantly, interferes in or actively sabotages POW-MIA analyses or investigations. She insists on rewriting or editing all significant documents produced by the Office, inserting her own twist or meaning to what was originally prepared. This is then touted as the DIA position. She apparently has access to top secret, codeword message traffic, for which she is supposedly not cleared, and she receives it well ahead of the DIA Intelligence analysts. Her influence in "jerk-

around" everyone and everything involved in the issue goes far beyond the "war and MIA protester gone straight" scenario. She was brought from the "outside" into the center of the imbroglio, and then, cloaked in a mantle of sanctimony, routinely impedes real progress and insidiously "muddles up" the issue. One wonders who she really is and where she came from...

4. CONCLUSIONS

a. The Stalled Crusade. Unfortunately, what began on such a high note never succeeded in embarking. In some respects, however, I have managed to satisfy some of my curiosity.

b. Everyone is expendable. I have seen firsthand how ready and willing the policy people are to sacrifice or "abandon" anyone who might be perceived as a political liability. It is quick and facile, and can be easily covered.

c. High-Level Knavery. I feel strongly that this issue is being manipulated and controlled at a higher level, not with the goal of resolving it, but more to obfuscate the question of live prisoners, and give the illusion of progress through hyperactivity.

d. "Smoke and Mirrors". From what I have witnessed, it appears that any soldier left in Vietnam, even inadvertently, was, in fact, abandoned years ago, and that the farce that is being played is no more than political legend made done with "smoke and mirrors", to stall the issue until it dies a natural death.

e. National League of Families. I am convinced that the Director of this organization is much more than meets the eye. As the principal actor in the grand

show, she is in the perfect position to clamor for "progress", while really intentionally impeding the effort. And, there are numerous examples of this. Otherwise, it is inconceivable that so many bureaucrats in the "system" would instantaneously do her bidding and humor her every whim.

f. DIA's Dilemma. Although greatly saddened by the role ascribed to the Defense Intelligence Agency, I feel, at least, what I am dealing with honest men and women who are generally powerless to make the system work. My appeal and attempt to amend this role perhaps never had a chance. We, all, were subject to control. I particularly salute the personnel in the POW-MIA Office for their long suffering, which I regretably was unable to change. I feel that the Agency and the Office are being used as the "fall guys" or "patsies" to cover the tricks of others.

5. RECOMMENDATIONS

a. One Final Vietnam Casualty. So ends the war and my last grand crusade, like it did actually did end, I guess. However, as they say in the Legion, "Je ne regrette rien..." For all of the above, I respectfully request to be relieved of my duties as Chief of the Special Office for Prisoners of War and Missing in Action.

b. A Farewell to Arms. So as to avoid the annoyance of being shipped off to some remote corner, out of sight and out of the way, in my own "bamboo cage" of silence somewhere, I further request that the Defense Intelligence Agency, which I have attempted to serve loyally and with honor, assist me in being retired immediately from active military service.

Signed/ Millard A. Peck Colonel, Infantry USA

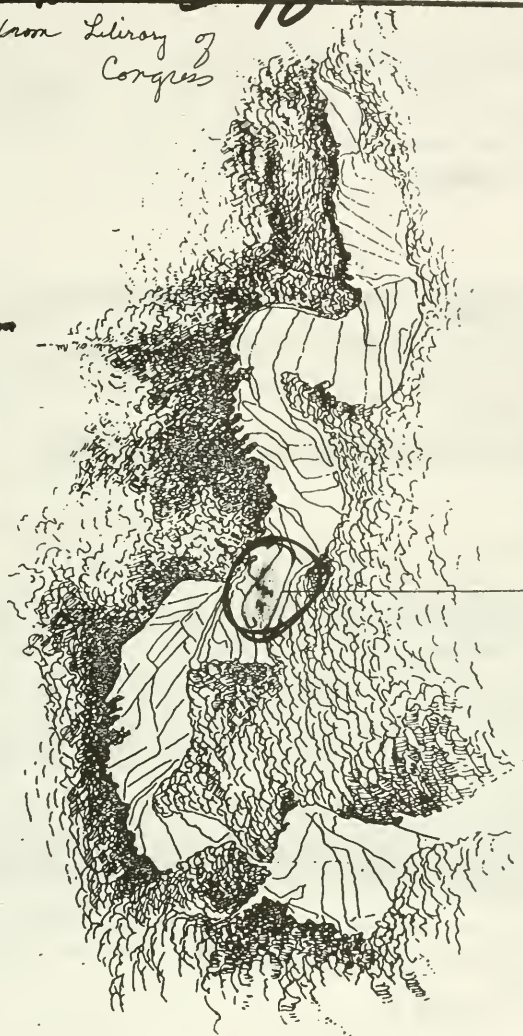
I want to tell you a true story that has no ending. It goes back to the frustration that many feel. On August 15, 1985, I received a letter from a source from a refugee who, one week earlier, had come out of Laos. The letter referred to four servicemen BY NAME AND NUMBERS, and referred to one as 'young man die.' No reference to the other three as living or dead. I checked my list of missing and only one name was on my list. It just happened that man was from Illinois. I sent that letter to Washington by two sources. In January of '86, I received another letter from the same source. This time he referred to a living POW. I sent the 2nd letter to Washington by two sources. To this date, neither the source nor the man in the refugee camp in Thailand has been contacted by anyone to prove or disprove the information in the letters. Who is lying to whom, and who can you trust to take action? ♦

EXHIBIT # 10

This come from Library of Congress

NORTHERN LAOS NEAR SAM NEUA

JANUARY 1988



"USA" CLEARLY VISIBLE

EXHIBIT # 11

CLASSIFIED WORK SHEET

Found these documents in the
Library of Congress, State Agency
None has been removed yet →

HOT!

R 290845Z 1984

FM

TO

INFO

SUBJECT: THAI BUREAU REPORT OF AMERICAN POW CAMP IN LAOS

ON 28 AUGUST

PASSED TO

THE FOLLOWING INFORMATION REPORTED TO
ELEMENT FROM AN UNIDENTIFIED SOURCE. THIS INFORMATION IS PASSED
ON FOR YOUR INFORMATION. HARDCOPY OF THE THAI REPORT AND THE MAP
WILL BE FORWARDED VIA FAST POUCH. ENGLISH TEXT OF THE THAI
REPORT FOLLOWS:

SUBJECT: AMERICAN POW CAMP SUBSARAVAN PROVINCE (LAOS)

DATE: 21 AUG 84

TO:

FM:

RECEIVED AN UNCONFIRMED
REPORT THAT THERE IS A CAMP FOR AMERICAN PRISONERS OF WAR IN THE
AREA OF THE BEUP VALLEY, BAN KADON VILLAGE, NAM HIANG SUB-
DISTRICT, MYANG LAMAM DISTRICT, SARAVAN PROVINCE. A SUMMARY OF
THE IMPORTANT FACTS ARE AS FOLLOWS: (BRIEF MAP IS ATTACHED)

1. NUMBER OF PERSONS IN CUSTODY: 23 AMERICAN PRISONERS OF WAR
2. LOCATION: THE CAMP IS IN THE AREA OF THE FOOT OF A MOUNTAIN,
SURROUNDED BY TRENCH WITH WATER FROM THE NAM PHUANG. THE
CAMP IS SURROUNDED BY THREE BARBED-WIRE FENCES. THE INNER-
MOST BARBED-WIRE FENCE IS CONNECTED TO THE TWO SLEEPING
QUARTERS OF THE POW'S. THE SITE IS COMPOSED OF:
- 2.1 TWO POW SLEEPING QUARTERS (INSIDE THE FENCES)
- 2.2 ONE KITCHEN BUILDING (OUTSIDE THE FENCES)
- 2.3 CAMP FOR ETHNIC KHA LAO SOLDIERS (GUARDS) COMPRISING THREE
BUILDINGS.
3. GUARD FORCE: THERE ARE ABOUT 30 FULLY ARMED ETHNIC KHA LAO
SOLDIERS AS GUARDS. FROM TIME TO TIME, 10-20 VIETNAMESE
SOLDIERS COME AND INSPECT THE CAMP ABOUT ONCE A MONTH.
4. COMMUNICATIONS: THERE IS A RADIO STATION IN THE CAMP WITH
A TRANSMITTER AND AN ANTENNA. IT HAS AN ANTENNA ABOUT 5000
METERS HIGH.

AFTER CONSIDERATION, IS
OF THE OPINION THAT THIS INFORMATION SHOULD BE PROVIDED TO THE
ANTI-SABOTAGE UNIT AND FOR THEIR KNOWLEDGE ALSO.
3. THIS FOR YOUR CONSIDERATION.
((SIGNED

AND SEEN BY
BEFORE IT WAS PASSED

4)

#27

A ROUGH SKETCH MAP SHOWS THE CAMP TO BE FOUR HOURS WALK SOUTH FROM KADON (LOCATED AT 1519N 10655E YB1195) ON THE EAST SIDE OF THE NAM PHUANG RIVER. IT SHOWS A SMALL CAMP BOUNDED ON THE EAST BY THE NAM PHUANG RIVER AND ON THE OTHER THREE SIDES BY A MOAT. THERE IS ONE BARBED-WIRE FENCE BETWEEN THE CAMP AND THE WATER, ONE ALONG THE MIDDLE OF THE MOAT AND ONE BETWEEN THE MOAT AND THE GUARDS. ACCORDING TO THE MAP THERE IS ONLY ONE FENCE AND THE RIVER TO THE WEST. ENTRANCE IS OVER A WOODEN BRIDGE ON THE EASTERN SIDE.

DECL: OADR
#0591

NNNN

P 301804Z AUG 84

FM
TO
INFO

SUBJ: THAI HUMINT REPORT OF AMERICAN POW CAMP IN LAOS

- REF: 1. APPRECIATE INFO CONTAINED IN REF. REQUEST YOU CONTACT APPROPRIATE OFFICIALS TO ATTEMPT TO OBTAIN ANY FURTHER INFO AVAILABLE TO THEM, E.G. RELIABILITY OF SOURCE, IDENTITY OF SOURCE, EXACT LOCATION (COORDINATES), DATE OF INFO, ETC.
2. FROM THE INFO PROVIDED, WE HAVE BEEN UNABLE TO FIND AN AREA ON OUR MAPS SOUTH OF BAN KADON THAT COULD BE AT THE BASE OF A MOUNTAIN WITH A HOAT FED BY THE NAM PHUANG RIVER. WE DID FIND A HUONG LAMAN (NOT LAMAM) AT XC9205 (1525N 10642E) AND A NAM HIANG AT YB0293 (1518N 10553E). WE HAVE NOT BEEN ABLE TO FIND A HEUP VALLEY BUT DID FIND A HOUEI PHOUANG RIVER IN THE AREA OF YC4210 (1527N 10733E) WHICH IS WELL EAST OF BAN KADON. HOWEVER, JUST NORTH OF BAN KADON ARE TWO SAN KADON'S AT YC1340 (1544N 10706E) AND YC1443 (1545N 10301E) WITH PHOU KOUNKING MOUNTAIN TO THE SOUTH AT YC3312 (1528N 10710E). PHOU KOUNKING IS IN THE IMMEDIATE AREA OF HOUEI PHOUANG RIVER. DO NOT BELIEVE, HOWEVER, ANYONE COULD WALK FROM EITHER BAN KADON TO THIS AREA IN FOUR HOURS. QUERY IF YOU HAVE HAD ANY BETTER LUCK IN FINDING THE AREA.
3. ALSO, PLEASE INSURE THAT
4. PLEASE ADVISE OF ADDITIONAL INFO IF/WHEN IT BECOMES AVAILABLE.

DECL: OADR

LT

#28

P 042113Z DEC 79

FM
TO
INFO

POSSIBLE U.S. POWS IN LAOS

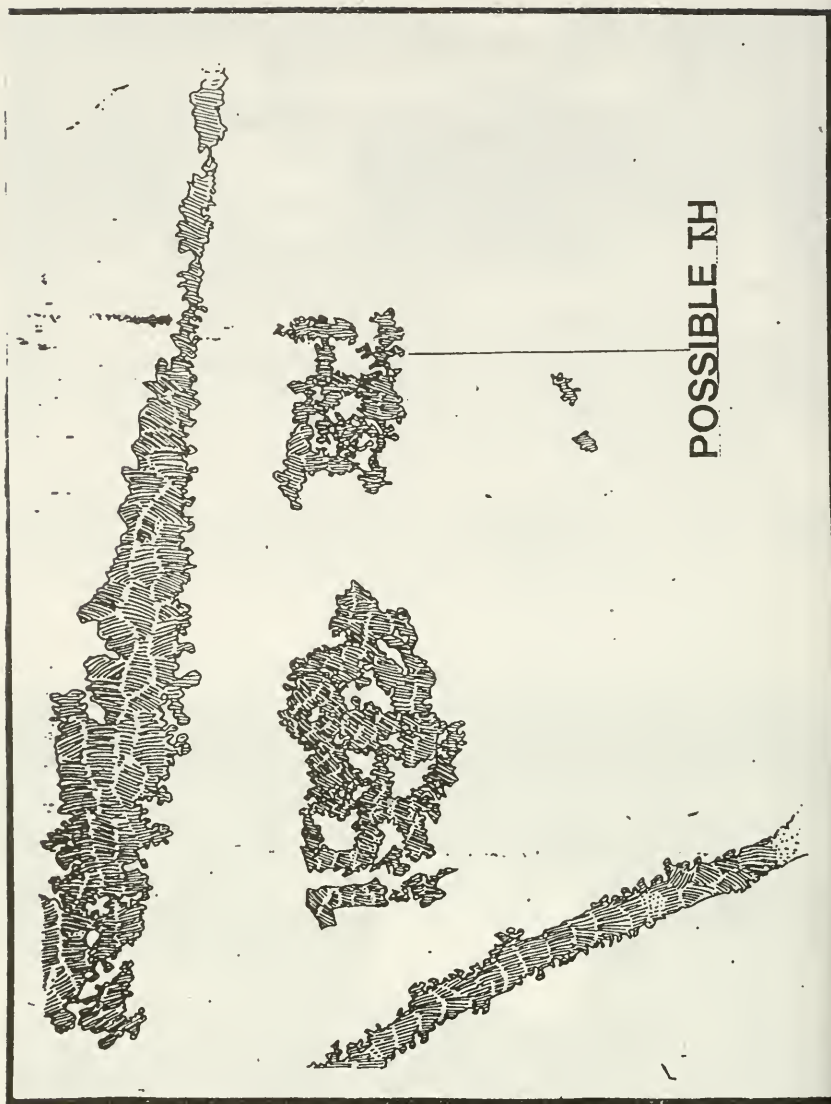
WITHOUT COMPROMISING THE SOURCE OF THE INFO CONTAINED IN REF REQUEST, IF POSSIBLE, THAT YOU OBTAIN ANY ADDITIONAL INFO REGARDING THE MENTIONED U.S. POWS FROM THE

WE ARE PARTICULARLY INTERESTED IN ANY INFO WHICH WOULD AID IN IDENTIFYING THE POWS, I.E. PHYSICAL DESCRIPTIONS, PLACE(S) / CIRCUMSTANCES OF CAPTURE, CONDITION OF HEALTH, ETC. AS YOU CAN WELL IMAGINE, INTEREST IN U.S. POWS REMAINS EXTREMELY HIGH. PLEASE ADVISE.

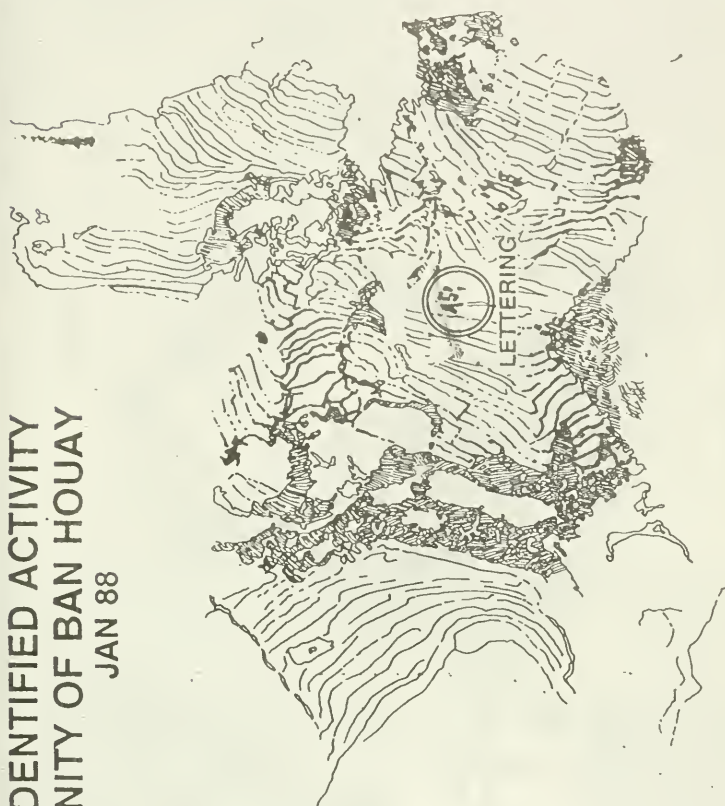
REVW 4 DEC 79

CONCUR:

#14

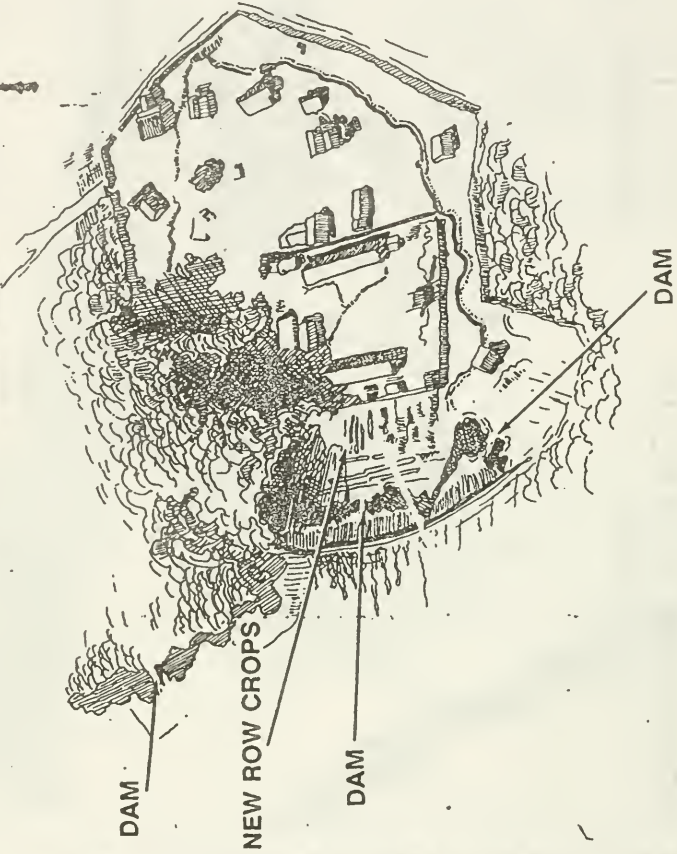


UNIDENTIFIED ACTIVITY
VICINITY OF BAN HOUAY
JAN 88



DETENTION CAMP EAST OF THANKHEK, LAOS

DECEMBER 1980



NOTE

P-R 022201Z DEC 80

TO
INFC

SUBJECT:

REQUEST YOU PLACE ON TOP PRIORITY IMMEDIATELY
UNTIL 05 DECEMBER 80 OR UNTIL FURTHER NOTICE.2. HAVE INFORMATION THAT TRANSFER OF 20 AMERICAN AND 16
LAO POW/MIAS FROM OUDOM SAI PROVINCE TO VIENTIANE TO TAKE PLACE.
SEVW 2 DEC 10

V/R: (U) THIS
CCACUR:

PER REQUEST OF

22

58

CIA

EXHIBIT #12

AIC 1C 1-722

PRIORITY

Intelligence Information Cable

IN 001754

PAGE 1 OF 2 PAGES

STATE/INR DIA NMCC/MC (SECDEF JCS ARMY NAVY AIR)

DIRECTORATE OF PLANS

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

060643Z

CITE TDCS-314/00217-70

DIST 6 JANUARY 1970

COUNTRY LAOS

DOI POSSIBLY LATE 1969 OR EARLY 1970

SUBJECT GENERAL LOCATION OF PRISON CAMP CONTAINING ABOUT
20 UNITED STATES AIR FORCE PILOTS IN THE BAN NAKAY
REGION OF HOUA PHAN PROVINCE

ACQ

LAOS, VIENTIANE 15 JANUARY 1970

SOURCE

1. ABOUT 20 UNITED STATES AIR FORCE PILOTS WERE
IMPRISONED IN A CONCEALED SECTION OF THE BAN NAKAY /VH 1955/
AREA OF BAN NEUA PROVINCE, ACCORDING TO TWO VILLAGERS WHO
VISITED THE REGION TO BUY A RADIO ON AN UNSTATED DATE BUT
POSSIBLY IN LATE 1969 OR EARLY 1970. WHEN THE NORTH

DIB # 153

APPROVED FOR RELEASE
2025

001754

TDCS-214/00217-70

PAGE 2 OF 2 PAGES

2. THE PATHET LAO FUNCTIONARY, WHO WAS SELLING THE VILLAGERS THE RADIO, INTERCEDED AND TOLD THE NVA GUARDS HE HAD TOLD THE VILLAGERS TO COME WITH HIM TO GET THE RADIO. THE NVA GUARDS RELEASED THE VILLAGERS, BUT DEMANDED THEY NOT TELL ANYONE ELSE ABOUT THE LOCATION OF THE PILOTS PRISON CAMP.

3. ~~1~~ COMMENT.

REPORTED ALL THE AMERICAN PRISONERS HELD IN
LAOS WERE TAKEN TO NORTH VIETNAM IN LATE DECEMBER 1968/ ^{SIC} THE
27 AMERICAN PRISONERS THAT HAD BEEN IN LAOS AT THAT TIME
WERE ASSEMBLED IN THE BAN HANG LONG /VH 132629/ AREA ABOUT
MID-WAY BETWEEN BAN NAKAY AND SAM NEUA /VH 009579/. THEY
WERE TO BE USED IN A PRISONER EXCHANGE WITH THE SOUTH
VIETNAMESE GOVERNMENT. SEE [REDACTED] TDCS-314/09796-69)

4. FIELD DISSEM STATE ARMY AIR ^{POST}ACV 7TH AIR FORCE
CINCPAC PACFLT PACAF ARPAC TFA/NKP

9469

EXHIBIT #13

REPRODUCED AT THE NATIONAL ARCHIVES

REPRODUCED AT THE NATIONAL ARCHIVES

Date: Encls
B1

MEMORANDUM

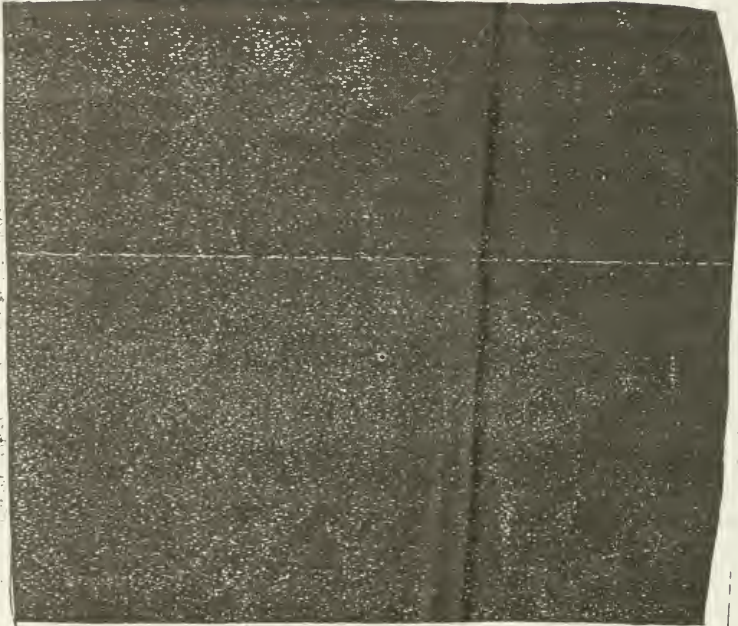
THE WHITE HOUSE
WASHINGTON

SA 99 A-193

~~TOP SECRET SENSITIVE~~
~~CONTAINS CODEWORD~~

June 9, 1973

MEMORANDUM FOR DR. KISSINGER

FROM: The Situation Room
SUBJECT: Additional Information Items~~TOP SECRET SENSITIVE~~
~~CONTAINS CODEWORD~~

REPRODUCED AT THE NATIONAL ARCHIVES

REPRODUCED AT THE NATIONAL ARCHIVES

~~TOP SECRET SENSITIVE~~
~~CONTAINS CODEWORD~~

- 4 -

MIA/Laos: The Pathet Lao's chief representative in Vientiane June 8 accepted a personal letter from Mrs. Kay to her husband but told our Embassy officer that further information on two other acknowledged POW's (Hrdlicka and Debruin) must await the formation of a new coalition government in Laos.

SANITIZED

~~TOP SECRET SENSITIVE~~
~~CONTAINS CODEWORD~~

1228 situation we run into.

1229 I am certainly not going to tell these people, "Key, you
1230 don't see anything." But at the same time, it doesn't give
1231 me any evidence with which I can work, any next step to
1232 pursue in that type of a case.

1233 Mr. TIANRT. At one time there were some security
1234 considerations about, I think, our actions in other
1235 countries outside of Vietnam. But to your knowledge, is
1236 there any reason why we are withholding data because of past
1237 security reasons that now have no justification?

1238 Mr. WOLD. I have--I have bent over backwards, and I will
1239 continue to do so. If a family--if a family member, or if it
1240 comes to my attention or any of the analysts' that there's
1241 something over at the National Security Agency or anywhere
1242 else in government that's classified and we feel that it
1243 might have a bearing on the case, my position is to give the
1244 missing man the benefit of the doubt, get that. We can
1245 review the document itself in our office.

1246 We have done this, and it has resulted in our going back
1247 to the Russians, for example, on the U.S.-Russia joint
1248 commission, saying--and giving them information and saying,
1249 "We have got this additional information. We want"--this is
1250 related to a B-29 loss--"We want you to see what you can find
1251 on it."

1252 I will continue to give the benefit of the doubt to any of

1253 these families. We will get classified documents. If a
1254 family is out on its own, going through archives, and they
1255 bump into this classified problem, which happens often, and
1256 they let us know about it, we will get the documents. We
1257 will get it redacted to clean out the information that, by
1258 law, we cannot reveal--sources, methods, and so forth--and
1259 then we will give them the document.

1260 Now, I know in Mrs. Hrdlicka's case--you probably saw this,
1261 too--she got a piece of document--she got a document. It was
1262 a National Security Council document that was totally
1263 blacked out. It had nothing on it, completely useless to
1264 her. And what I did in that case--and we could not get it
1265 declassified, but what I did in that case was send a naval
1266 officer over there to look at the document. He came back
1267 with a report that that particular case--that particular
1268 document, had nothing in it that related to the Hrdlicka
1269 shutdown.

1270 We will--I will do anything along those lines to try to
1271 provide the families the information they need. We need
1272 that information, too. We want to reach an accounting.
1273 That's our goal. That's our common goal of every one of us
1274 sitting here today.

1275 Mr. TIAHRT. Let me conclude by saying--I know I am
1276 probably getting close on time--I deeply appreciate the work
1277 that you are doing. I feel that sometimes you get caught in



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE MILITARY PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

HQ AFMPC/DPMCB
550 C Street West Suite 15
Randolph AFB TX 78150-4717

4 November 1994

Mrs. Carol A. Hrdlicka
Route 1, Box 24
Conway Springs KS 67031

Dear Mrs. Hrdlicka,

In late 1992 analysts of the Defense Intelligence Agency and Joint Task Force - Full Accounting reviewed all American losses in Cambodia and Laos from the Vietnam War. This review identified priority discrepancy cases for investigation specifically to help resolve the live prisoner question. Forty-four cases involving 81 individuals from Laos and 10 cases involving 18 individuals from Cambodia were selected. The categories of the discrepancy cases identified were "Listed as POW at Homecoming" and "Last Known Alive." The vast majority of these cases have been investigated at least once, and further investigations are likely.

The last known alive discrepancy case listings were not made public, primarily because they were prepared for use as investigative tools and considered working lists. However, because these lists have always been unclassified and available to anyone who asked for them, some families have learned of their existence.

To avoid other families learning of their loved ones name being on one of these lists through other than official sources, the Defense POW-MIA office has asked that we inform our families in this regard.

This is to advise you that the name of your husband, Colonel David L. Hrdlicka, appears on the "Listed as POW at Homecoming" priority discrepancy list for Laos.

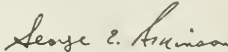
For your information, a discrepancy case involves an unaccounted for individual about whom the United States Government has convincing evidence that the government of Vietnam, Laos, or Cambodia should have specific knowledge about the case.

This is a group of individuals who, during the Vietnam War, were classified by their commanding officers and Service Secretaries as POWs, but did not return during Operation Homecoming (February - April 1973). These cases also are known to many families as "last known alive" due to their POW status. There were 97 individuals from Southeast Asia who are so listed. Subsequently, 42 "listed Pows" have been accounted for through unilateral Vietnamese remains repatriations.

As in the past, we will keep you apprised of any new information received concerning Colonel Hrdlicka's case.

Please contact us on our toll free telephone line 800-531-5501 if you have questions concerning this matter.

Sincerely


GEORGE E. ATKINSON
Chief, Missing Persons &
Inquiries Division

Mr. DORNAN. Carol, your whole statement will be put in the record, and I have the document that you refer to from June 9, 1973. We have found out where it is. It is in Nixon's archives, National Archives Project No. 2. The DPMO have reserved it, and they blocked out the portions because they say they do not pertain to David Hrdlicka. But I think to give you peace of mind that they owe it to you to show it to you, because if it has any source intelligence value, it is 22 years old.

And since they give the names of people involved in live sightings to the once cruel Communist masters of all of Vietnam who will not allow an election, why are they uptight that a 22-year-old source wouldn't have been compromised or turned over anyway?

So I will try and get this to you, and I will bet Jim Wold will help me.

Ms. HRDLICKA. I would make one request. Something that might be interesting would be to find the Nixon tapes where they discuss the POW's in the White House.

Mr. DORNAN. I have heard of that. That is a fascinating thought. I am told we will work on it.

Ms. DUEZ, do you have a written statement?

Ms. DUEZ. Yes, I do.

Mr. DORNAN. Thank you, Carol.

STATEMENT OF KATHY BORAH DUEZ, POW/MIA FAMILY MEMBER, SISTER OF DANIEL BORAH, USN

Ms. DUEZ. Congressman Dornan, members of the committee, I come here today on behalf of my brother, Lt. Daniel V. Borah, Jr., case no. 1927.

The name of Daniel Borah is well known in POW/MIA circles. In July 1991 several photographs appeared said to be of my brother. These photos are surrounded in controversy. The only question I will raise about these photos is, why Dan Borah?

Our family was not active in the POW/MIA issue. We accepted without question all information presented to us by the Government. We did not question or challenge the presumptive finding of death made in July 1977. We believed Dan did not survive because that is what we were told. We did not participate in POW/MIA rallies. We did not make speeches. So why pick Dan Borah as the object of a hoax, if indeed it was a hoax?

I have my own opinion regarding the photos. However, this forum is not the place for opinions. This forum is for facts, and that is what you will get from me today.

As background, Dan was shot down over Quang Tri Province, South Vietnam, on September 24, 1972, 4 months and 3 days before the signing of the Paris peace accords. According to the forward air controller, Dan safely ejected from his aircraft and was alive in his parachute. From his chute, Dan radioed Nail 30 Saddleback 1 in the chute.

According to a case narrative dated June 5, 1989, for 30 seconds after the chute was down, aircraft personnel monitored several—and this is a quote—several short burst manual beeper transmissions. Short burst manual transmissions puts Dan alive on the ground. Search and rescue crews reported seeing Dan's chute being

removed from the trees. Due to the tree canopy, they could not see who removed the parachute. Evidence leads to the inevitable conclusion that it was Dan who removed the chute. I could not have said that positively 5 years ago or even 1 year ago.

Since Dan's shoot-down, we have been told continually that there was no voice transmission from the ground. Every report sent to us stated, quote/unquote, no voice contact. In June of this year, we learned this statement was not true.

On July 3, 1973, a memo was written to the chief, U.S. Delegation for Party Joint Military Team. The memo dealt with four categories of prisoners and missing. Those categories were: One, last known to be alive; two, probably died in captivity but name does not appear on official died in captivity list; three, died in incidents and enemy should have some knowledge; and, four, probably captured.

Dan is listed in the category of last known alive. The intelligence summary associated to his name reads, quote/unquote, aircraft hit by AAA near Quang Tri. Subject had good chute with beepers and voice contact on the ground. Last transmission was, quote/unquote, Gomers all around.

Mr. DORNAN. Pause right there.

I had been in Vietnam eight times during the war and never heard that term "gomer." However, my colleague, Duke Cunningham, uses it all the time. In his book he talked about a dogfight where he came canopy to canopy with an ace, a North Vietnamese ace, and in his book he says, "I could see his little gomer scarf and his gomer helmet," his gomer something else.

So it was a term, softer, because of American television, than some of the harsher language used to describe the enemy, and I have heard it range all the way up to a respectful "Sir Charles" when the Vietcong Charlie was fighting well.

So "gomer" never had the insulting characterization to it, but that would definitely mean "enemy is all around me."

Ms. DUEZ. Exactly.

After years of official Government denial, we now have proof that Dan was in voice contact from the ground.

As to his message, "Gomers all around," we can only surmise that this was his way of announcing his imminent capture.

In 1992 the National Security Agency submitted a study to the Senate Select Committee on POW/MIA Affairs. Of case 1927, the study said: Between 23d and 24th September, blank shot down many aircraft and captured alive an unspecified number of pilots. Here a quarter of the line is blank. One of the units had shot down blank. One Navy A-7 aircraft and captured the pilot alive.

Intelligence reports and communications monitored by the National Security Agency reported Dan's capture. Dan was the only loss on September 24, 1972. He was the only United States loss in Quang Tri Province for 1 month prior and 3 months after September 24, 1972. Therefore, the intelligence reports of one pilot captured in Quang Tri can only relate to Dan Borah.

A case summary prepared for the October 1989 meeting in Hanoi between General Vessey and Vietnamese Foreign Minister Nui Col Thok stated in part, quote/unquote, Borah ejected from his plane

and was known captured. Investigation of his crash site is irrelevant.

Yet JTF-FA wasted time and money and went to the crash site when they should have been looking for information on Dan. The only way they will find information on Dan Borah at a crash site is if it is planted.

The narrative continued: United States intelligence attributed this strike to the PAVN 120th AAA Battalion, 284th AAA Regiment at Don Lan or Ton Vin. The pilot was reported captured. Manual beeper signals were reported from the ground.

An undated narrative stated, he parachuted to safety and was captured by Communist forces in the area within minutes of his shoot-down.

The attempts of JTF-FA to resolve this case based on the false witness statements is criminal.

The most recent JTF-FA report dated October 1995 states: When Mr. Toan, T-O-A-N, and his soldiers arrived, the pilot was dead.

The JTF-FA report continued: Mr. Toan's firsthand account of Lieutenant Borah's death and burial provides compelling corroboration to similar information provided by three wartime residents of Com Chin Village during the 21st joint field activity. These witnesses heard of an American pilot whose aircraft had been shot down near the village in the summer of 1972 and was killed and his body buried in a bomb crater. The U.S. Government's July 1990 case narrative states no civilians inhabited the area prior to 1975. Only personnel assigned to PAVN units in the area would have information on this incident.

Why is JTF-FA willing to accept hearsay information from villagers, civilians, who were not even in the area prior to 1975?

Congressman Dornan, members of the committee, Dan was alive on the ground, and the PAV unit in the area reported him captured. He was not dead in his chute, as recent Vietnamese witnesses told JTF-FA. Dead men don't send beeper signals, dead men don't remove their parachutes from trees, and dead men don't report their imminent capture. Never forget Dan's last words to U.S. forces, "Gomers all around."

It is interesting to note that, as the years passed, in the Government's rush to close the POW/MIA issue, wording of the case narratives became less forceful regarding Dan's capture.

The October 1989 narrative reads, in part, "Borah ejected from his plane and was known captured." The key words are "known captured." In March 1991, the case narrative states, "Intelligence indicates that Borah was captured." There is a big difference between the words "known" and "indicates."

Why the wording change? The answer is easy: Normalization. Wipe off or water down as many cases as possible.

Unknown, to us, until 1977 was the fact that Dan's status was changed from missing to prisoner of war.

A letter signed by James D. Watkins, vice admiral, U.S. Navy, stated, "Lieutenant Borah was placed in a missing-in-action status." However, the director of the Personal Service Division, under delegated authority of the Secretary of the Navy, on October 19, 1972 determined his status should be changed to captured. Our

question: On what was that status change based? To this day, that question has never been answered.

In that same letter, Vice Admiral Watkins informed us that Dan Borah was now officially declared to be dead. Unfortunately, due to the woefully inadequate Missing Service Personnel Act of 1942, the Government was allowed to declare my brother dead solely on the passage of time.

Congressman Dornan, if I might digress for a moment, I would like to thank you for all of your efforts to update this law. Your support of the House version of the Missing Service Personnel Act of 1995 is very greatly appreciated.

When the Paris peace accords were signed, 4 months after Dan's shoot-down, the North Vietnamese, PRG, and Pathet Lao presented a list of POW's to be returned. Some 80 known POW's, including my brother, were omitted from the list before 591 POW's acknowledged by Hanoi. The PRG and the Pathet Lao acknowledge—51 acknowledged by Hanoi, the PRG, and Pathet Lao. Nor did the list of 591 POW's include other known POW's, such as Charles Shelton, David Hrdlicka, Ronald Dodge, Robert White, and Robert Garwood.

Dr. Kissinger presented the list of 80 POW's to the Vietnamese negotiators in Paris. Hanoi, the PRG, and the Pathet Lao denied any knowledge of the 80 men named by Dr. Kissinger, this in spite of the fact that both Hrdlicka and Dodge were photographed in captivity. Both photos were widely publicized. The photo of Lieutenant Ronald Dodge appeared on the cover of Life magazine, November 10, 1972.

On March 30, 1973, President Richard Nixon announced, "All the POW's are on their way home." But were they?

On April 1, 1973, POW Robert White, who Vietnamese negotiators denied any knowledge of, was released.

In 1979, POW Robert Garwood, who the Vietnamese also denied any knowledge of, was released.

Ask yourself this question: Why did Hanoi deny knowledge of Robert Garwood when questioned by Dr. Kissinger? Why not say he defected and he does not want to come home? The answer is simple: Garwood, like Dan Borah and all the others, was a POW Hanoi was not ready to return. Hanoi denied any knowledge of White and Garwood.

In January 1973 Hanoi lied and continues to lie about Daniel V. Borah, Jr., and our Government allows those lies to go unchallenged.

Dan's name has appeared on no fewer than seven lists, starting with the Kissinger list in January 1973. His name next appeared on a list dated June 1973 discovered by Senator Charles Grassley. That list is titled "Missing and Captured U.S. Military Personnel."

Mr. DORNAN. Kathy, may I ask you, how did Senator Grassley discover, to use your word, that list?

Ms. DUEZ. I am not positive about that, how he came upon this list.

Mr. DORNAN. Have you talked to Senator Grassley?

Ms. DUEZ. No; I have not.

Mr. DORNAN. All right. Continue.

Ms. DUEZ. "Missing and Captured U.S. Military Personnel," contains 60 names. Among the names on that list are Charles Shelton,

David Hrdlicka, Robert Dodge, and Charles Garwood. POW Robert White, unknown to the Vietnamese in January 1973, was home in June 1973. All these men and others listed were known to be captured.

Dan's name next appeared on the July 3, 1973, memo discussed earlier. The October 11, 1979 list of citizens and dependents captured, missing, detained, or voluntarily remained in Southeast Asia accounted for or unaccounted from January 1, 1961, through current date prepared by the DIA, POW/MIA branch, lists Daniel Borah's status as PP, prisoner of war.

When this list was published, Robert Garwood was already home.

Another list titled "U.S. Military Personnel Who Died While Captured in the Vietnam War 1957 Through 1985" lists Dan as dead, hostile, died, capture. This list contains 113 names, including Charles Shelton, David Hrdlicka, and Ronald Dodge. Of these three, only the remains of Ronald Dodge have been returned.

Dan was one of the original 119 Vessey discrepancy cases. After many questionable revisions, that list now numbers 55. Among the 55 names is that of Dan Borah.

Another memo dated January 19, 1992, titled "Stored Remains Vietnam" evaluated the status of each of the original 119 discrepancy cases. This memo categorized my brother as an individual with circumstances of loss which suggests storage.

You must remember, in 1992, no one in the U.S. Government entertained any possibility of live POW's. They were and are only interested in remains. However, to his family, those words could easily read "circumstances of loss which prove capture."

On July 26, 1991, former National Security Agency analyst Jerry Mooney gave a deposition on my brother's incident. That deposition stated, in part, Borah successfully ejected and landed safely on the ground. He was captured alive and came under the immediate command and control of the 377th, 673d Division operating in the general Khesan area. Its tactical instructions at the time of the incident were to capture pilots alive.

These two divisions, 416, did execute captured prisoners during its operations in Quang Tri. However, that practice was not in effect at the time of Borah's capture. He was taken alive, and as a matter of tactical operations he was transported across the DMZ north to known holding facilities in the general Ron Ron area of Quang Binh Province. At this location he came under the direct command and control of the 376th division.

It was at this location, the Ron Ron area, that Borah's fate was decided. Mooney entertained two possibilities as to Dan's fate. The first was, he would be transported north to Hanoi to be held for return. At the time, North Vietnam's leaders knew our high concern for POW's, and it was important to them to jack up the POW returnees.

The second possibility was, according to Mooney, enemy forces were currently bogged down in the Quang Tri Province. They were actively consolidating their forces and resupplying, thus requiring a major logistics effort. Thus, it was probable Borah, if in good health and physically fit, would be diverted to labor at the Thok Binh Lan Di facilities.

Jerry Mooney's credentials are impeccable. The recent discovery of an NSA memo by researcher Jay Veese confirmed Mooney's statements regarding the execution of 10 American POW's in early 1972.

Mooney's statements regarding this matter were debunked by many. Now we have proof. I believe if we can locate the NSA data regarding Dan's loss, Jerry Mooney will once again be vindicated. It is truly sad that a man with Mr. Mooney's background, expertise and credentials, must constantly defend charges made against him by the very men who know Mooney's statements to be completely accurate.

My family's belief in Dan's survival is not wishful thinking. The evidence clearly and without equivocation indicates that Dan Borah was captured. Taking that premise one step further, that means the Vietnamese could easily resolve his case by returning him alive or returning his fully identifiable remains.

It saddens me to say that I have no trust or confidence in the men charged with locating my brother. Too much information remains hidden from us. Where are the National Security Agency messages of September 24, October 5, and November 24, 1972? What information does the Government hold in October 1972, to change Dan's status from missing to prisoner? Why did the Government deny Dan was in voice contact from the ground?

We know that Dan Borah was among the many American servicemen held in Southeast Asia after the end of the war. We know he survived his incident uninjured. Dan was young and strong, physically and mentally. He could certainly be among the many POW's still being held in Southeast Asia.

I often wonder what Dan must be thinking. Does he still have hope that one day his Government will come for him? We hear of, quote, unquote, superb Vietnamese cooperation. It is a lie. The Vietnamese know exactly where Dan Borah is today. We know they keep—they kept excellent records.

Instead of dealing with the case of Dan Borah on a truthful basis, the Vietnamese lead JTF-FA on wild goose chases to a crash site that has no bearing on the fate of Dan Borah. Instead of the truth, the Vietnamese provide witnesses who could not possibly have knowledge of Dan's fate. The only thing superb regarding Vietnam's so-called cooperation, is the public relations job done by the defense POW/MIA office, and the administration, in general, to create the illusion of Vietnamese cooperation.

The struggle to get information regarding Dan's captivity is a long, hard, uphill battle. My parents' health has suffered and our family has sacrificed much in our search for the truth regarding Dan's capture and his location today. However, our sacrifice is minimal compared to Dan's. We are comforted by God's word in the Bible. Jeremiah 31:16 through 17: "Thus sayeth the Lord, refrain thy voice from weeping and thine eyes from tears, for thy work shall be rewarded, sayeth the Lord. And they shall come again from the land of the enemy and there is hope in thine end, sayeth the Lord, that thy children shall come again to their own border."

Thank you.

[The prepared statement of Ms. Duez follows:]



FOR PRESENTATION BEFORE THE
HOUSE MILITARY PERSONNEL
SUBCOMMITTEE

TESTIMONY OF
KATHY BORAH DUEZ

SISTER OF POW DANIEL V. BORAH, JR.
CAPTURED SEPT. 24, 1972, QUANG TRI SO. VIETNAM

CONGRESSMAN DORNAN. MEMBERS OF THE COMMITTEE, I COME HERE TODAY ON BEHALF OF MY BROTHER LT. DANIEL V. BORAH, JR., CASE NUMBER 1927.

THE NAME OF DANIEL BORAH IS WELL KNOWN IN POW/MIA CIRCLES. IN JULY 1991 SEVERAL PHOTOGRAPHS APPEARED SAID TO BE OF MY BROTHER. THESE PHOTOS ARE SURROUNDED IN CONTROVERSY. THE ONLY QUESTION I WILL RAISE ABOUT THOSE PHOTOS IS WHY DAN BORAH?

OUR FAMILY WAS NOT ACTIVE IN THE POW/MIA ISSUE. WE ACCEPTED, WITHOUT QUESTION, ALL INFORMATION PRESENTED TO US BY THE GOVERNMENT. WE DID NOT QUESTION OR CHALLENGE THE PRESUMPTIVE FINDING OF DEATH MADE IN JULY 1977. WE BELIEVED DAN DID NOT SURVIVE, BECAUSE THAT IS WHAT WE WERE TOLD. WE DID NOT PARTICIPATE IN POW/MIA RALLIES. WE DID NOT MAKE SPEECHES. SO WHY PICK DAN BORAH AS THE OBJECT OF A HOAX, IF INDEED IT WAS A HOAX? I HAVE MY OWN OPINION REGARDING THE PHOTOS. HOWEVER, THIS FORUM IS NOT THE PLACE FOR OPINIONS. THIS FORUM IS FOR FACTS AND THAT IS WHAT YOU WILL GET FROM ME TODAY.

AS BACKGROUND, DAN WAS SHOT DOWN OVER QUANG TRI PROVINCE, SOUTH VIETNAM ON 24 SEPTEMBER, 1972, 4 MONTHS AND 3 DAYS BEFORE THE SIGNING OF THE PARIS PEACE ACCORDS.

ACCORDING TO THE FORWARD AIR CONTROLLER (FAC) DAN SAFELY EJECTED FROM HIS AIRCRAFT AND WAS ALIVE IN HIS PARACHUTE. FROM HIS CHUTE DAN RADIOED "NAIL 30, SADDLEBACK ONE IN THE CHUTE." ACCORDING TO A CASE NARRATIVE DATED JUNE 5TH, 1989. FOR 30 SECONDS AFTER THE CHUTE WAS DOWN, AIRCRAFT PERSONNEL MONITORED SEVERAL AND THIS IS A QUOTE "SEVERAL SHORT-BURST MANUAL BEEPER TRANSMISSIONS." SHORT BURSTED MANUAL TRANSMISSION. PUTS DAN ALIVE ON THE GROUND.

SEARCH AND RESCUE CREWS REPORTED SEEING DAN'S CHUTE BEING REMOVED FROM THE TREES. DUE TO THE TREE CANOPY, THEY COULD NOT SEE WHO REMOVED THE PARACHUTE. EVIDENCE LEADS TO THE INEVITABLE CONCLUSION THAT IT WAS DAN WHO REMOVED THE CHUTE. I COULD NOT HAVE SAID THAT POSITIVELY 5 YEARS AGO, OR EVEN ONE YEAR AGO.

SINCE DAN'S SHOOTDOWN WE HAVE BEEN TOLD CONTINUALLY THAT THERE WAS NO VOICE TRANSMISSION FROM THE GROUND. EVERY REPORT SENT TO US STATED "NO VOICE CONTACT."

IN JUNE OF THIS YEAR, WE LEARNED THIS STATEMENT WAS NOT TRUE.

ON JULY 3RD 1973 A MEMO WAS WRITTEN TO THE CHIEF U.S. DELEGATION FOUR PARTY JOINT MILITARY TEAM. THE MEMO DEALT WITH FOUR CATEGORIES OF PRISONERS AND MISSING. THOSE CATEGORIES WERE; LAST KNOWN TO BE ALIVE, -- PROBABLY DIED IN CAPTIVITY BUT NAME DOES NOT APPEAR ON OFFICIAL DIED IN CAPTIVITY LIST. -- DIED IN INCIDENT AND ENEMY SHOULD HAVE SOME KNOWLEDGE -- AND PROBABLY CAPTURED. DAN IS LISTED IN THE CATEGORY OF LAST KNOWN ALIVE. THE INTELLIGENCE SUMMARY ASSOCIATED TO HIS NAME READS: "AIRCRAFT HIT BY AAA NEAR QUANG TRI. SUBJECT HAD GOOD CHUTE WITH BEEPERS AND VOICE CONTACT ON THE GROUND. LAST TRANSMISSION WAS "GOMER ALL AROUND."

AFTER YEARS OF OFFICIAL GOVERNMENT DENIAL, WE NOW HAVE PROOF THAT DAN WAS IN VOICE CONTACT FROM THE GROUND. AS TO HIS MESSAGE "GOMER ALL AROUND" WE CAN ONLY SURMISE THAT WAS HIS WAY OF ANNOUNCING HIS IMMINENT CAPTURE.

IN 1992 THE NATIONAL SECURITY AGENCY SUBMITTED A STUDY, TO THE SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS. OF CASE 1927 THE STUDY SAID "BETWEEN 23 AND 24 SEPTEMBER [BLANK] SHOT DOWN MANY AIRCRAFT AND CAPTURED ALIVE AN UNSPECIFIED NUMBER OF PILOTS [HERE A QUARTER OF THE LINE IS BLANK] ONE OF THE UNITS HAD SHOT DOWN [BLANK] ONE NAVY A-7 AIRCRAFT AND CAPTURED THE PILOT ALIVE."

INTELLIGENCE REPORTS AND COMMUNICATIONS MONITORED BY THE NATIONAL SECURITY AGENCY REPORTED DAN'S CAPTURE. DAN WAS THE ONLY U.S. LOSS ON SEPTEMBER 24TH 1972. HE WAS THE ONLY U.S. IN QUANG TRI PROVINCE FOR 1 MONTH PRIOR AND THREE MONTHS AFTER SEPTEMBER 24, 1972. THEREFORE, THE INTELLIGENCE REPORTS OF ONE PILOT CAPTURED IN QUANG TRI CAN ONLY RELATE TO DAN BORAH.

A CASE SUMMARY PREPARED FOR THE OCTOBER 1989 MEETING IN HANOI BETWEEN GENERAL VESSEY AND VIETNAMESE FOREIGN MINISTER NGUYEN CO THACH STATED IN PART: "BORAH EJECTED FROM HIS PLANE AND WAS KNOWN CAPTURED; INVESTIGATION OF HIS CRASH SITE IS IRRELEVANT." YET, JTF-FA WASTED TIME AND MONEY AND WENT TO THE CRASH SITE WHEN THEY SHOULD HAVE BEEN LOOKING FOR INFORMATION ON DAN. THE ONLY WAY THEY WILL FIND INFORMATION ON DAN BORAH AT A CRASH SITE IS IF IT IS PLANTED.

THE NARRATIVE CONTINUED "U.S. INTELLIGENCE ATTRIBUTED THIS STRIKE TO THE PAVN 120TH AAA BATTALION 284TH AAA REGIMENT AT DON LON OR TAN VINH. THE PILOT WAS REPORTED CAPTURED..... MANUAL BEEPER SIGNALS WERE REPORTED FROM THE GROUND."

AN UNDATED NARRATIVE STATED "HE PARACHUTED TO SAFETY AND WAS CAPTURED BY COMMUNIST FORCES IN THE AREA WITHIN MINUTES OF HIS SHOOTDOWN."

THE ATTEMPTS OF JTF-FA TO RESOLVE THIS CASE BASED ON THE FALSE WITNESS STATEMENTS IS CRIMINAL. THE MOST RECENT JTF-FA REPORT DATED OCTOBER 1995 STATES: "WHEN MR. TOAN AND HIS SOLDIERS ARRIVED, THE PILOT WAS DEAD." THE JTF-FA REPORT CONTINUED MR. TOAN'S FIRSTHAND ACCOUNT OF LT. BORAH'S DEATH AND BURIAL PROVIDES COMPELLING CORROBORATION TO SIMILAR INFORMATION PROVIDED BY THREE WARTIME RESIDENTS OF CAM CHINH VILLAGE DURING THE 21ST JOINT FIELD ACTIVITY. THESE WITNESSES HEARD AN AMERICAN PILOT WHOSE AIRCRAFT HAD BEEN SHOT DOWN NEAR THE VILLAGE IN THE SUMMER OF 1972 WAS KILLED AND HIS BODY BURIED IN A BOMB CRATER."

THE U.S. GOVERNMENT'S JULY 1990 CASE NARRATIVE STATES "NO CIVILIANS INHABITED THE AREA PRIOR TO 1975. ONLY PERSONNEL ASSIGNED TO PAVN UNITS IN THE AREA WOULD HAVE INFORMATION ON THIS INCIDENT." WHY IS JTF-FA WILLING TO ACCEPT HEARSAY INFORMATION FROM VILLAGERS, CIVILIANS WHO WERE NOT IN THE AREA PRIOR TO 1975?

CONGRESSMAN DORNAN, MEMBERS OF THE COMMITTEE, DAN WAS ALIVE ON THE GROUND AND THE PAVN UNIT IN THE AREA REPORTED HIM CAPTURED. HE WAS NOT DEAD IN HIS CHUTE AS RECENT VIETNAMESE WITNESSES TOLD JTF-FA. DEAD MEN DON'T SEND BEEPER SIGNALS. DEAD MEN DON'T REMOVE THEIR PARACHUTES FROM TREES AND DEAD MEN DON'T REPORT THEIR IMMINENT CAPTURE. NEVER FORGET DAN'S LAST WORDS TO U.S. FORCES "GOMERS ALL AROUND."

IT IS INTERESTING TO NOTE THAT AS THE YEARS PASSED, IN THE GOVERNMENTS RUSH TO CLOSE THE POW/MIA ISSUE WORDING OF THE CASE NARRATIVES BECAME LESS FORCEFUL REGARDING DAN'S CAPTURE. THE OCTOBER 1989 NARRATIVE READS IN PART: "BORAH EJECTED FROM HIS PLANE AND WAS KNOWN CAPTURED." THE KEY WORDS ARE KNOWN CAPTURED.

A MARCH 1991 CASE NARRATIVE STATES "INTELLIGENCE INDICATES THAT BORAH WAS CAPTURED." THERE IS A BIG DIFFERENCE BETWEEN THE WORDS KNOWN AND INDICATES. WHY THE WORDING CHANGE? THE ANSWER IS EASY. NORMALIZATION. WIPE OFF OR WATER DOWN AS MANY CASES AS POSSIBLE.

UNKNOWN TO US, UNTIL 1977, WAS THAT FACT THAT DAN'S STATUS WAS CHANGED FROM MISSING TO PRISONER OF WAR. A LETTER SIGNED BY JAMES D. WATKINS, VICE ADMIRAL, UNITED STATES NAVY STATED "LT. BORAH WAS PLACED IN A MISSING IN ACTION STATUS. HOWEVER, THE DIRECTOR OF THE PERSONAL SERVICE DIVISION UNDER DELEGATED AUTHORITY OF THE SECRETARY OF THE NAVY ON 19 OCTOBER 1972 DETERMINED HIS STATUS SHOULD BE CHANGED TO CAPTURED." OUR QUESTION - ON WHAT WAS THAT STATUS CHANGE BASED? TO THIS DAY THAT QUESTION HAS NEVER BEEN ANSWERED.

IN THAT SAME LETTER, VICE ADMIRAL WATKINS INFORMED US THAT DAN BORAH WAS NOW OFFICIALLY DECLARED TO BE DEAD. UNFORTUNATELY, DO TO THE WOEFULLY INADEQUATE MISSING SERVICE PERSONNEL ACT OF 1942, THE GOVERNMENT WAS ALLOWED TO DECLARE MY BROTHER DEAD SOLELY ON THE PASSAGE OF TIME. CONGRESSMAN DORNAN, IF I MIGHT DIGRESS FOR A MOMENT I WOULD LIKE TO THANK YOU FOR ALL YOUR EFFORTS TO UPDATE THIS LAW. YOUR SUPPORT OF THE "HOUSE VERSION" OF THE MISSING SERVICE PERSONNEL ACT OF 1995 IS GREATLY APPRECIATED.

WHEN THE PARIS PEACE ACCORDS WERE SIGNED, FOUR MONTHS AFTER DAN'S SHOOTDOWN, THE NORTH VIETNAMESE, PRG AND PATHET LAO PRESENTED A LIST OF POWS TO BE RETURNED. SOME 80 KNOWN POWS INCLUDING MY BROTHER, WERE OMITTED FROM THE LIST OF 591 POWS ACKNOWLEDGED BY HANOI THE PRG AND PATHET LAO. NOR, DID THE LIST OF 591 POWS INCLUDE OTHER KNOWN POWS SUCH AS CHARLES SHELTON, DAVID HRDLICKA, RONALD DODGE, ROBERT WHITE AND ROBERT GARWOOD.

DR. KISSINGER, PRESENTED THE LIST OF 80 POWS TO THE VIETNAMESE NEGOTIATORS IN PARIS. HANOI THE PRG AND THE PATHET LAO DENIED ANY KNOWLEDGE OF THE 80 MEN NAMED BY DR. KISSINGER. THIS IN SPITE OF THE FACT THAT BOTH HRDLICKA AND DODGE WERE PHOTOGRAPHED IN CAPTIVITY. BOTH PHOTOS WERE WIDELY PUBLICIZED. THE PHOTO OF LT. RONALD DODGE APPEARED ON THE COVER OF LIFE MAGAZINE, NOVEMBER 10TH 1972.

ON MARCH 30TH 1973 PRESIDENT RICHARD NIXON ANNOUNCED -- ALL THE POWS ARE ON THEIR WAY HOME. BUT, WERE THEY?

ON APRIL 1, 1973, POW ROBERT WHITE, WHO VIETNAMESE NEGOTIATORS DENIED ANY KNOWLEDGE OF, WAS RELEASED. IN 1979 POW ROBERT GARWOOD WHO THE VIETNAMESE ALSO DENIED ANY KNOWLEDGE OF, WAS RELEASED. ASK YOURSELF THIS QUESTION, WHY DID HANOI DENY KNOWLEDGE OF ROBERT GARWOOD WHEN QUESTIONED BY DR. KISSINGER? WHY NOT SAY HE DEFECTED AND HE DOES NOT WANT TO COME HOME?. THE ANSWER IS SIMPLE. GARWOOD, LIKE DAN BORAH AND ALL THE OTHERS, WAS A POW HANOI WAS NOT READY TO RETURN.

HANOI DENIED ANY KNOWLEDGE OF WHITE AND GARWOOD IN JANUARY 1973. HANOI LIED AND CONTINUES TO LIE ABOUT DANIEL V. BORAH JR., AND OUR GOVERNMENT ALLOWS THOSE LIES TO GO UNCHALLENGED.

DAN'S NAME HAS APPEARED ON NO FEWER THAN SEVEN LISTS, STARTING WITH THE "KISSINGER LIST" IN JANUARY 1973. HIS NAME NEXT APPEARED ON A LIST DATED JUNE OF 1973, DISCOVERED BY SENATOR CHARLES GRASSLEY. THAT LIST IS TITLED "MISSING AND CAPTURED U.S. MILITARY PERSONNEL" AND CONTAINS 67 NAMES. AMONG THE NAMES ON THAT LIST ARE: CHARLES SHELTON, DAVID HRDLICKA, RONALD DODGE AND ROBERT GARWOOD. POW ROBERT WHITE UNKNOWN TO THE VIETNAMESE IN JANUARY OF 1973, WAS HOME IN JUNE OF 1973. ALL THESE MEN AND OTHERS LISTED WERE KNOWN TO BE CAPTURED.

DAN'S NAME NEXT APPEARED ON THE JULY 3RD 1973 MEMO DISCUSSED EARLIER. THE OCTOBER 11, 1979 LIST OF "CITIZENS AND DEPENDENTS, CAPTURED, MISSING, DETAINED OR VOLUNTARILY REMAINED IN SOUTH EAST ASIA, ACCOUNTED FOR OR UNACCOUNTED FROM JANUARY 1, 1961 THROUGH CURRENT DATE," PREPARED BY THE DIA PW/MIA BRANCH, LISTS DANIEL BORAH'S STATUS A "PP" PRISONER OF WAR. WHEN THIS LIST WAS PUBLISHED, ROBERT GARWOOD WAS ALREADY HOME.

ANOTHER LIST TITLED U.S. MILITARY PERSONNEL WHO DIED WHILE CAPTURED IN THE VIETNAM WAR 1957-1985 LISTS DAN AS DEATH AS "HOSTILE DIED CAPTURED." THIS LIST CONTAINS 113 NAMES INCLUDING: CHARLES SHELTON, DAVID HRDLICKA, AND RONALD DODGE. OF THESE THREE ONLY THE REMAINS OF RONALD DODGE HAVE BEEN RETURNED.

DAN WAS ONE OF THE ORIGINAL 119 VESSEY DISCREPANCY CASES. AFTER MANY QUESTIONABLE REVISIONS THAT LIST NOW NUMBERS 55. AMONG THE 55 NAMES IS THAT OF DAN BORAH.

ANOTHER MEMO, DATED JANUARY 1992. "TITLED STORED REMAINS VIETNAM" EVALUATED THE STATUS OF EACH OF THE ORIGINAL 119 DISCREPANCY CASES. THIS MEMO CATEGORIZED MY BROTHER AS AN "INDIVIDUAL WITH CIRCUMSTANCES OF LOSS WHICH SUGGEST STORAGE." YOU MUST REMEMBER IN 1992 NO ONE IN THE U.S. GOVERNMENT ENTERTAINED ANY POSSIBILITY OF LIVE POW'S. THEY WERE AND ARE ONLY INTERESTED IN REMAINS. HOWEVER, TO HIS FAMILY THOSE WORDS COULD EASILY READ "CIRCUMSTANCES OF LOSS WHICH PROVE CAPTURE."

ON JULY 26, 1991, FORMER NATIONAL SECURITY AGENCY ANALYSIS JERRY MOONEY GAVE A DEPOSITION ON MY BROTHERS INCIDENT. THAT DEPOSITION STATED IN PART ".... BORAH SUCCESSFULLY EJECTED AND LANDED SAFELY ON THE GROUND. HE WAS CAPTURED ALIVE AND CAME UNDER THE IMMEDIATE COMMAND AND CONTROL OF THE 377TH 673 DIVISION OPERATING IN THE GENERAL KHE SANH AREA. ITS TACTICAL INSTRUCTION AT THE TIME OF THE INCIDENT WERE TO CAPTURE PILOTS ALIVE. THESE TWO DIVISIONS, FORCE 16, DID EXECUTE CAPTURED PRISONERS DURING ITS OPERATIONS IN QUANG TRI. HOWEVER, THAT PRACTICE WAS NOT IN EFFECT AT THE TIME OF BORAH'S CAPTURE. HE WAS TAKEN ALIVE AND AS A MATTER OF TACTICAL OPERATIONS, HE WAS TRANSPORTED ACROSS THE DMZ NORTH TO KNOWN HOLDING FACILITIES IN THE GENERAL RON RON AREA OF QUANG BINH PROVINCE. AT THIS LOCATION, HE CAME UNDER THE DIRECT COMMAND AND CONTROL OF THE 376TH DIVISION. IT WAS AT THIS LOCATION, THE RON RON AREA, THAT BORAH'S FATE WAS DECIDED."

MOONEY ENTERTAINED TWO POSSIBILITIES AS TO DAN'S FATE. THE FIRST WAS "HE WOULD BE TRANSPORTED NORTH TO HANOI TO BE HELD FOR RETURN. AT THE TIME, NORTH VIETNAM'S LEADERS KNEW OUR HIGH CONCERN FOR POW'S AND IT WAS IMPORTANT TO THEM TO JACK UP THE POW RETURNEES...."

THE SECOND POSSIBILITY WAS, ACCORDING TO MOONEY, "...ENEMY FORCES WERE CURRENTLY BOGGED DOWN IN THE QUANG TRI PROVINCE. THEY WERE ACTIVE CONSOLIDATING THEIR FORCES AND RESUPPLYING THUS REQUIRING A MAJOR LOGISTICS EFFORT. THUS, IT WAS PROBABLE, BORAH, IF IN GOOD HEALTH AND PHYSICALLY FIT, WOULD BE DIVERTED TO LABOR AT THE THACH BAN LONG DAI FACILITIES."

JERRY MOONEY'S CREDENTIALS ARE IMPECCABLE. THE RECENT DISCOVERY OF AN NSA MEMO BY RESEARCHER JAY VEITH CONFIRMED MOONEY'S STATEMENTS REGARDING THE EXECUTION OF 10 AMERICAN POW'S IN EARLY 1972. MOONEY'S STATEMENT REGARDING THIS MATTER WERE DEBUNKED BY MANY. NOW WE HAVE THE PROOF. I BELIEVE IF WE CAN LOCATE THE NSA DATA REGARDING DAN'S LOSS, JERRY MOONEY WILL ONCE AGAIN BE VINDICATED. IT IS TRULY SAD THAT A MAN WITH MR. MOONEY'S BACKGROUND, EXPERTISE AND CREDENTIALS MUST CONSTANTLY DEFEND CHARGES MADE AGAINST HIM BY THE VERY MEN WHO KNOW MOONEY'S STATEMENTS TO BE COMPLETELY ACCURATE.

MY FAMILIES BELIEF IN DAN'S SURVIVAL IS NOT WISHFUL THINKING. THE EVIDENCE CLEARLY AND WITHOUT EQUITVOCATION INDICATES THAT DAN BORAH WAS CAPTURED. TAKING THAT PREMISE ONE STEP FURTHER, THAT MEANS THE VIETNAMESE COULD EASILY RESOLVE HIS CASE BY RETURNING HIM ALIVE OR RETURNING HIS FULLY IDENTIFIABLE REMAINS.

IT SADDENS ME TO SAY THAT I HAVE NO TRUST OR CONFIDENCE IN THE MEN CHARGED WITH LOCATING MY BROTHER. TOO MUCH INFORMATION REMAINS HIDDEN FROM US. WHERE ARE THE NATIONAL SECURITY AGENCY MESSAGES OF SEPTEMBER 24TH, OCTOBER 5TH AND NOVEMBER 24TH 1972? WHAT INFORMATION DID THE GOVERNMENT HOLD IN OCTOBER 1972 TO CHANGE DAN'S STATUS FROM MISSING TO PRISONER? WHY DID THE GOVERNMENT DENY DAN WAS IN VOICE CONTACT FROM THE GROUND?

WE KNOW THAT DAN BORAH WAS AMONG THE MANY AMERICAN SERVICEMEN HELD IN SOUTHEAST ASIA. AFTER THE END OF THE WAR, WE KNOW HE SURVIVED HIS INCIDENT UNINJURED. DAN WAS YOUNG AND STRONG, PHYSICALLY AND MENTALLY. HE COULD CERTAINLY BE AMONG THE MANY POW'S STILL HELD IN SOUTHEAST ASIA. I OFTEN WONDER WHAT DAN MUST BE THINKING. DOES HE STILL HAVE HOPE THAT ONE DAY HIS GOVERNMENT WILL COME FOR HIM?

WE HEAR OF "SUPERB" VIETNAMESE COOPERATION. IT IS A LIE. THE VIETNAMESE KNOW EXACTLY WHERE DAN BORAH IS. TODAY. WE KNOW THEY KEPT EXCELLENT RECORDS. INSTEAD OF DEALING WITH THE CASE OF DAN BORAH ON A TRUTHFUL BASIS. THE VIETNAMESE LEAD JTF-FA ON WILD GOOSE CHASES TO A CRASHSITE THAT HAS NO BEARING ON THE FATE OF DAN BORAH. INSTEAD OF THE TRUTH. THE VIETNAMESE PROVIDE WITNESSES WHO COULD NOT POSSIBLY HAVE KNOWLEDGE OF DAN'S FATE.

THE ONLY THING "SUPERB" REGARDING VIETNAM'S SO CALL COOPERATION IS THE PUBLIC RELATIONS JOB DONE BY THE DEFENSE POW/MIA OFFICE AND THE ADMINISTRATION IN GENERAL TO CREATE THE ILLUSION OF VIETNAMESE COOPERATION.

THE STRUGGLE TO GET INFORMATION REGARDING DAN'S CAPTIVITY IS A LONG HARD UPHILL BATTLE. MY PARENTS HEALTH HAS SUFFERED AND OUR FAMILY HAS SACRIFICED MUCH IN OUR SEARCH FOR THE TRUTH REGARDING DAN'S CAPTURE AND HIS LOCATION, TODAY. OUR SACRIFICE, IS MINIMAL, COMPARED TO DAN'S.

WE CONSOLE OURSELVES WITH THE WORDS OF JEREMIAH 31:16-17: THUS SAITH THE LORD: REFRAIN THY VOICE FROM WEEPING, AND THINE EYES FROM TEARS: FOR THY WORK SHALL BE REWARDED, SAITH THE LORD: AND THEY SHALL COME AGAIN FROM THE LAND OF THE ENEMY: AND THERE IS HOPE IN THINE END, SAITH THE LORD, THAT THY CHILDREN SHALL COME AGAIN TO THEIR OWN BORDER."

EXHIBITS

EXHIBIT A: STATEMENT OF LCDR. JOHN A. LOCKARD.

EXHIBIT B: CASE NARRATIVE DATED JUNE 5, 1989.

EXHIBIT C: JULY 3, 1973 MEMO REPORTING VOICE CONTACT FROM THE GROUND.

EXHIBIT D: NSA REPORT FOR THE SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS. (COVER PAGES AND PAGE PERTAINING TO DANIEL BORAH.)

EXHIBIT E: OCTOBER 1989 CASE SUMMARY.

EXHIBIT F: UNDATED NARRATIVE.

EXHIBIT G: JTF-FA REPORT DATED OCTOBER 1995.

EXHIBIT H: JULY 1990 CASE NARRATIVE

EXHIBIT I: MARCH 1991 CASE NARRATIVE.

EXHIBIT J: AUGUST 12, 1977 LETTER WHICH FIRST MENTIONED DAN BORAH AS A PRISONER OF WAR.

EXHIBIT K: THE KISSINGER LIST AS PRESENTED BY THE SENATE SELECT COMMITTEE ON POW/MIA AFFAIRS. (COVER MEMO INCLUDED.)

EXHIBIT L: THE JUNE 1973 LIST OF 67.

EXHIBIT M: THE OCTOBER 1979 DEFENSE INTELLIGENCE AGENCY POW/MIA LIST.

EXHIBIT N: THE 1985 LIST OF U.S. PERSONNEL WHO DIED WHILE CAPTURED IN THE VIETNAM WAR 1957 - 1985.

EXHIBIT O: JANUARY 22, 1992 MEMO RE: STORED REMAINS

EXHIBIT P: DEPOSITION OF JERRY MOONEY

Statement of Lieutenant Commander John A. LOCKARD, USN,
 DAM report of MIA OCI Lieutenant Daniel Vernor
 BORAH, Jr., USNR, DAM

While orbiting west of the Quang Tri airfield on 24 September 1972, I heard, "Nail 30, Saddleback One in the chute", transmitted over guard frequency. One to two minutes later I heard a beeper and informed my flight leader that I thought one of the Saddlebacks had been shot down. We proceeded to the SAR area and participated in the SAR effort until all ordnance was expended.

Upon arrival back aboard ship, I talked with the Saddleback wingman and it was determined that neither he nor Nail 30 had made the above transmission on guard frequency. Using this determination and from the sound of the transmission at the time it was heard, I feel certain the above transmission was made by the pilot of Saddleback One while descending in the chute.

J. A. Lockard
 LCDR John A. LOCKARD
 DAM

Enclosure (2)

BARRY SHUGHART
05 JUN 89

TALKING POINTS FOR CASE 1927 (LT DANIEL V. BORAH, USN)

POSITION

U.S. witnesses to incident reported that LT Daniel V. Borah Jr. parachuted alive into heavily occupied enemy territory. Intelligence indicates that he was captured.

RECOMMENDATIONS

1. Recommend JCRC aggressively pursue the acquisition of civil and military records that would have been created and maintained regarding the shoot down and capture of Lt Borah.
2. Recommend that members of the 284th AAA Regiment, 15th AAA Battalion, 7th AAA Battalion, and especially the 120th AAA Battalion be located and interviewed as possible witnesses to the incident.
3. Recommend investigations of the crashsite are irrelevant to the determination of Lt Borah's fate.

BACKGROUND

LT DANIEL V. BORAH JR., USN
REFNO 1927
24 SEP 72, 0550Z/1350H
164528N 1070020E/YD138537 (SAR log coordinates)

- Borah's A7 was hit by 37MM AAA over heavily occupied enemy territory.
- Target/loss location - entrenched military bunkers.
- Chute came down 6KM south of Thon Cam Lo (district seat and military airfield), Quan Cam Lo District, Quang Tri Province near the DMZ.
- USN FAC watched Borah's chute from ejection to descent into tree canopy.
- Crewmembers of 4 US aircraft heard Borah transmit a status report while he was descending in his chute. He made a lucid, professional report and did not mention any injuries or disabilities.
- For 30 seconds after the chute was down, USN aircraft personnel monitored several short-burst manual (vice automatic) beeper transmissions.
- No voice transmissions were received from Borah on the ground.
- US SAR crews saw the chute being pulled down into the trees by unseen person(s).
- No voice or beeper transmissions were received after chute disappeared.
- Tree canopy concealed all ground activity from overhead view.
- from this area reported one A7 down/pilot captured on 24 SEP 72, possibly by the 120th AAA Bn, 284th AAA Regt.

JCRC-CDD-DA

3 July 1973

SUBJECT: FPJMT Request for Additional MIA/BR Information

Chief, US Delegation
 Four Party Joint Military Team (FPJMT)
 FPO U.S. Forces 96620

1. Reference your message, 281000Z JUN 73, subject as above.
2. Attached is a listing of information requested by the referenced letter.
3. Specific definitions of the categories are as follows:
 - a. Category A - Last known to be alive and we have no further information.
 - b. Category B - Probably died in captivity (DIC) but name does not appear on official DIC list released by the enemy.
 - c. Category C - Died in incident and enemy should have some knowledge.
 - d. Category D - Probably captured and documents and/or analysis of incident supports these indications.
4. Suggest your priorities for presentation be as follows:
 - a. Priority I - Category A.
 - b. Priority II - Category B.
 - c. Priority III - Category C.
 - d. Priority IV - Category D.

CATEGORY A (LAST SEEN ALIVE)

NAME	RANK/SERV	MCN	DATE	COUNTRY	LOCATION
LINDLAND, Donald F.	04/USN	06 SEP 72	VN	WH 700 9735	
COMMENTS: Subject was observed on the ground and moving. He was approximately 3500 miles from other crewmember who was captured. Reports of capture of U.S. Pilot correlates with subject. Subject never appeared as PW.					
DOYLE, Michael W.	1914-02 04/USN	25 AUG 72	VN	XH 527 897	
COMMENTS: Returnee stated that he does not know what happened to subject. Other pilots in same flight reported seeing two good chutes.					
CREED, Barton S.	1724-01 03/USN	13 MAR 71	VN	XC 239 91	
COMMENTS: Aircraft was shot down. Pilot ejected and was heard on the ground to say that he was surrounded. SAR efforts were abandoned due to heavy ground fire.					
PATTERSON, James K.	0691-01 03/USN	19 MAY 67	VN	WH 450 961	
COMMENTS: Subject was observed on the ground but had broken leg. Subject remained in contact with friendly forces for several days. After contact was broken, no further word was received.					
RUFFIN, James T.	02/USN	18 FEB 66	VN	XG 013 691	
COMMENTS: Returnee reported that subject had good chute and once subject was on ground he heard shots from the direction of subject's landing. Subject's ID and Geneva Convention cards were on display in the War Crimes Museum in Hanoi.					
NAME	02/USN	17 APR 66	VN	XF 232 236	
COMMENTS: Subject's service directed a change in status to captured based on information not available to JCRC.					
TUCKER, Edwin B.	0650-01 04/USN	24 APR 67	VN	IJ 248 196	
COMMENTS: Subject had a good chute and was seen to land in the city of HONAI.					
WILES, Marvin E. C.	1843-01 03/USN	06 MAY 72	VN	YS 540 242	
COMMENTS: Subject had good chute and was seen to land in the vicinity of a SAM site.					
NAME	02/USN	04 AUG 66	VN	WJ 233 248	
COMMENTS: Returnees have no knowledge of subject. Subject's service directed a change in status to captured based on information not available to the JCRC.					
NAME	CIV	13 NOV 68	VS	EN 658 552	
COMMENTS: Captured on Highway 1 with a Local National and a Filipino. Filipino later escaped and reported the incident.					
HAUNNESS, Steven A.	CIV	31 JAN 68	VS	YD 770 210	
COMMENTS: Subject was staying with a friend in HUE, when the city was taken by the NVA. The body of the friend was recovered, but no trace was ever found of HAUNNESS.					
EGRAH, Daniel Vernon JR.	1427-01 03/NA	24 SEP 72	VS	YD 300 511	
COMMENTS: Aircraft hit by AAA near QUANG TRI, Subject had good chute with parachute and voice contact on the ground. Last transmission was "Cover All Around".					

CATEGORY A (LAST SEEN ALIVE) (CONT'D)

NAME	RANK/SERV	MCN	DATE	COUNTRY	LOCATION
NAME	CIV	31 JAN 68	VS	AS-060 020	

COMMENTS: Individual's home was attacked and invaded by the VC, and subject has not been seen since.

SCHMIDT, Walter R. JR.	1205-01	02/USMC	09 JUN 68	VN	YD-387 052
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COMMENTS: Aircraft was hit by ground fire, subject had a good chute and he was observed on the ground by SAR ships. COMMO was made and subject stated that he needed medical assistance. SAR temporarily suspended due to intense hostile fire and darkness. Approximately 1040 hours, 10 JUNE 1968, aerial Recon of area indicated that subject's chute had been removed and visual or radio contact with subject was negative.

SMALL, Burt C. JR.	0607-01	EA/USA	06 MAR 67	VN	BS 533 587
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COMMENTS: Subject was a member of a Patrol which was ambushed. Subject believed to have a leg wound but walking when detained by hostile force.

SPARKS, Donald L.	1456-01	E3/USA	17 JUN 69	VN	BT-098 232
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COMMENTS: Subject initially declared KIA -- based on wounds to his head and stomach. Status was changed after 2 letters written by him were found on the body of a VC. Returnee reported that he was informed by the VC that subject was alive in mid 1969 and would be reporting to the PW Camp - However, individual never showed up in the PW system.

ANDREWS, William R.	0317-01	03/USAF	05 OCT 66	VN	WJ-883 248
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COMMENTS: Subject heard alive on the ground and broadcasted over his emergency radio. He reported being hit and losing consciousness.

HIRONS, Allen	1836	CIV	26 APR 72	CB	WT-305 400
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NAME	CIV	26 APR 72	CB	WT-300 400
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COMMENTS: Last seen as occupant in UP- Auto. Auto was found at the site of former VC roadblock. and Allen Hirons last seen together.)

CAPLING, Elwyn R.	04/USAF	19 SEP 68	VN	WJ-883 248
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COMMENTS: Aircraft hit and crashed while making a rocket pass. Good chute and beeper. SAR negative.

FRANCISCO, San D.	1324	02/USAF	25 NOV 68	VN	WJ-883 248
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NAME	04/USAF	25 NOV 68	VN	WJ-883 248
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COMMENTS: Aircraft crashed and voice contact was established with subject on the ground. SAR negative due to the weather and enemy activity. NAME and Francisco, S. C.)

FREDERICK, William V.	0754-01	03/USAF	05 JUL 67	VN	WJ-883 248
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COMMENTS: Aircraft was hit by AAA fire and subject was forced to bail out. A good chute was seen and a beeper was heard. SAR negative.

HORNE, Stanley H.	0986-01	04/USAF	14 JAN 68	VN	WJ-883 248
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COMMENTS: Aircraft hit by air to air missile fired by a MIG. A good chute was seen with beeper. SAR negative.

CATEGORY A (LAST SEEN ALIVE) (CONT'D)

NAME	RANK/SERV	MSN DATE	COUNTRY	LOCATION
NAME	05/USAF	10 MAR 69	VN	WJ 83 248
COMMENTS: Aircraft was hit and subject ejected and made voice contact on the ground. Subject rear seater was recovered by SAR and all contact with subject was lost approximately 1425 hours.				
SINGER, Donald M.	04/USAF	17 AUG 66	VN	VJ 762 109
BRAND, Joseph W.	04/USAF	17 AUG 66	VN	VJ 762 109
COMMENTS: Aircraft was hit and both crew members ejected and pilot (BRAND, Joseph W.) reported that he was okay; no contact with SINGER, Donald. SAR negative.				

CATEGORY B (PROBABLY DIED IN CAPTIVITY)

NAME	RANK/SVC	MSN DATE	CTY	LOCATION
BLACKBURN, HARRY L. JR.	05/NA	10 MAY 72	VN	WJ 883 248
COMMENTS: Subject was identified as PW by returnees. One returnee was informed by N. Vietnamese that subject died on 10 May 1972.				
MEARNS, ARTHUR S.	04/NA	11 NOV 66	VN	YJ 161 492
COMMENTS: Returnee stated that aircraft was on fire, and subject appeared okay and had a good chute. However, returnee believes subject died later in PW camp as a result of burns received in aircraft.				
MONROE, VINCENT D.	04/NA	18 MAY 68	VN	WF 315 669
COMMENTS: Subject had good chute after ejecting. Returnee states that subject never showed in the PW system and he believes subject to be deceased.				
VAN DYKE, RICHARD H.	02/AF	11 SEP 63	VN	XE 538 482
COMMENTS: A returnee last saw subject at a detention holding area located near Xa Hoan Village, Bo Trach District, Dong Hoi Province, N. Vietnam. Subject had a very serious leg wound, and was taken to a hospital for treatment. A villager later indicated, by sign language, that subject's leg had been amputated, and that he was dead.				
EVANS, JAMES J.	04/AF	02 APR 65	LA	WD 837 703
COMMENTS: Partial remains of subject have been recovered. Subject was reportedly on the ground alive after ejection. He was captured by ground forces the following day and reportedly beheaded. Remains were dragged off by wild animals. Further attempts to reach crash site negative due to heavy ground fire.				
SHELTON, CHARLES ERVIN	0079-01	29 APR 65	LA	UH 991 632
COMMENTS: Ejected and had a good chute. Subject had contact with SAR and friendly ground forces. Ground teams reached the area on 3 May 65 and learned that subject landed in a tree and was taken by militia security forces to Ban An Nedua.				
REHE, RICHARD R.	0976-01	E3/AF	09 JAN 68	VS
NAME	E3/AF	09 JAN 68	VS	AT 961 253
COMMENTS: Returnee reported that subjects were seriously wounded during firefight, and an U/I NVA guard informed returnee that both Rehe and [unclear] died on 9 Jan 68, as a result of their wounds.				
NAME	0765-02	E3/AF	12 JUL 67	VS
COMMENTS: Returnee reported that subject had received multiple gunshot wounds during a fire fight. Later returnees were informed by a VC/NVA PW Camp CDR that subject had died approx 20 Jul 67, death was due to the wounds received during combat.				

CATEGORY B (PROBABLY DIED IN CAPTIVITY) (CONT'D)

NAME	RANK/SVC	MSN DATE	CTY	LOCATION
LYON, JAMES M. 1556-01	03/AR	05 FEB 70	VS	TD 639-271
COMMENTS: Returnees reported that subject was extensively burned over most of his body. A portion of his right leg four inches below the knee was covered. Subject called for help until 0600, 6 Feb when sources heard shot from his position. Two weeks later 1Lt Le Van Mac, CO Camp Farnsworth told source that subject had died of wounds, and was buried at the crash site and handed returnee his personal effects etc: ID card and several photos of which appear to be wife.				
BOWERS, RICHARD L. 1414-01	02/AR	24 MAR 69	VS	NR 908-559
COMMENTS: Subject was captured when his camp was over run. Two US PW seen at NR 526602 in Apr 69. ARVN escapee reported that Arroyo-Baez informed him that Bower had escaped and was executed when recaptured. Arroyo-Baez helped to place his body in a canal near Tam Soc Hamlet.				
NAME	CIV	30 MAY 62	VS	IR 675-107
COMMENTS: Reports on file which describes subject's capture, and subsequent movement for several weeks. Reports on file which indicate subject was allegedly killed. Subject's passport was taken from captured VC.				
GODWIN, SOLOMON R. 1035-01	W1/MS	05 FEB 68	VS	WJ 883-246
COMMENTS: Returnees reported that they witnessed subject's death approx 25 Jul 1968, while en route to Hanoi. Subject had a serious heart ailment, but death was caused mainly by a prolonged low calorie diet.				
VIETTI, ELEANOR A. 0011-02	CIV	30 MAY 62	VS	IR 675-107
COMMENTS: Subject was captured along with two other US civilians. Reports on hand which describes the capture and subsequent movements for several weeks. In addition there are reports which indicate that subject was killed.				
HANGEN, WELIS 1626-04	CIV	31 MAY 70	CB	VT 280-150
COMMENTS: Subject's driver, who was later released, stated that subject was taken alive. DIA has reports that indicate that subject was executed. Previous reports have been correlated to subject's sighting. One source reported that subject and several other journalists were killed by the VC/Khmer Rouge at the end of May 1970, at Takeo Province, three days after capture. (Others involved in incident are: Colne, Waku, Sakai and Ichii.)				
NAME	5/AR	31 MAR 71	VS	YB-935-188
COMMENTS: Reports on hand that correlate to this incident. Returnee reported that he received info from NAME (died in PW camp) that subject died on the trail to NTH.				
RAGSDALE, THOMAS W.	CIV	31 JAN 68	VS	TD 730-100
COMMENTS: Individual was killed by a flying rock during a B-52 raid. body was recovered 19 July 1968.				

CATEGORY C (PROBABLY DIED IN INCIDENT)

NAME	RANK/SERV	MSI DATE	COUNTRY	LOCATION
ROONS, Dale P.	1789-01	02/USAF	26 DEC 71	VN WGS26912

COMMENTS: Hanoi released photo of charred ID cards of the crew and also stated that all had died in the crash.

MAYER, Roderick L.	0168-01	03/USN	17 OCT 65	VN XJ689966
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COMMENTS: Both crew members were seen on the ground. Contact was unsuccessful. Subject was reportedly killed during ejection.

HONDIS, Robert J., JR.		03/USAF	26 DEC 72	VN WJ823218
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COMMENTS: Returnee stated that subject took full force of a SAM hit and was seen slumped over in his seat. He appeared to be badly wounded and dead. Returnee later saw subject's name on PW Interrogator's list.

NELSON, William H.		06/USAF	20 JUL 66	VN WH364961
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COMMENTS: Returnee stated that subject never pulled up after bombing run and probably went in with the aircraft. Reports on hand indicate that subject died in the crash.

POWERS, Trent R.	0179-01	04/USN	31 OCT 65	VN XJ244574
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COMMENTS: Returnee stated that he believed subject to be dead. Good chute was observed and beeper was heard for about 30 seconds.

STOLZ, Lawrence G.	1789-02	03/USAF	26 SEP 71	VN WGS26912
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COMMENTS: Hanoi released photo of charred ID cards and stated that all of the crew had died in the crash.

BUTT, Richard L.	0517-01	02/USAF	11 NOV 66	VN WJ823218
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COMMENTS: Subject was identified as PW by returnee. One returnee said that subject had good chute, however, he could have been seriously injured.

GREGORY, Robert R.	0531-01	03/USAF	2 DEC 66	VN WJ823772
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COMMENTS: Returnee reported establishing voice contact with subject after ejection. Returnee heard crashing sound and believes subject was hung up in trees. Returnee informed by NVA that subject had died.

CATEGORY C (PROBABLY KILLED IN INCIDENT)

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
	O2/USAF	13 AUG 72	VS	YD188785

COMMENTS: Returnee reported that aircraft was hit by ground fire and ejection order was given to subject to eject. Ejector seat ejected without any response, but ejection procedure progressed normally. No further contact with subject. Returnee was informed by NVA that subject died and burned with the aircraft on 13 August 1972.

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
LORD, Arthur J.	O3/USA	19 APR 68	VS	YD255895
NAME		19 APR 68	VS	YD255895
SHAFFER, Philip R.	E7/USA	19 APR 68	VS	YD255895

COMMENTS: Crew members on CH54 copter on a supply mission to Ashau Valley, when aircraft was hit by AV fire, and on impact exploded, and all aboard assumed KIA. Copters flew over site and did not see any parts of aircraft or signs of life.

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
WATERS, Samuel R., JR.	O3/USAF	13 DEC 66	VN	WJ433872

COMMENTS: Hanoi radio broadcast identified Captain Samuel Waters as U.S. pilot killed in aircraft crash, which had been hit by a SAM. However, the remainder of his flight reported that subject had a good chute, without a beeper. SAR was not conducted due to the location.

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
CASE, Thomas P.	O2/USAF	31 MAY 66	VN	WH582100
HARWORTH, Elroy E.	E4/USAF	31 MAY 66	VN	WH582100
NAME	O3/USAF	31 MAY 66	VN	WH582100
NAME	O2/USAF	31 MAY 66	VN	WH582100
NAME	O2/USAF	31 MAY 66	VN	WH582100
ALBERTON, Bobby J	E5/USAF	31 MAY 66	VN	WH582100
SHINGLEDECKER, Armon D.	O2/USAF	31 MAY 66	VN	WH582100

COMMENTS: News release by DRV showing crashed aircraft. Caption on one photo states seven crewmen aboard this U.S. C-130 were killed when their aircraft was shot down.

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
SPENCER, Warren R.	O3/USAF	20 DEC 72	VN	WJ778285
PAUL, Craig A.	O3/USAF	20 DEC 72	VN	WJ778285

COMMENTS: FEIS Puerto Rico, message to Mr. Ken Hall (Paul) saying that his son and Captain Spencer were killed in aircraft crash. Returnees reported 2 U.S. observed unconscious near the area of returnees captured. Paul's name along with Spencer's, information beneath it observed in an interrogator book at the Hanoi Hilton. (Involved in incident: Mike MARTINI, Bill ANCURI, Roy MADDEN, Terry Caloneck).

CATEGORY C (PROBABLY DIED IN INCIDENT)

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
SULLIVAN, Yarrall Jr.	05/USAF	27 JUN 72	VN	EW918258

COMMENTS: Subject successfully ejected and was last seen being picked up by NVN fishing boats. Boats were strafed by U.S. aircraft. Hanoi newspaper (Nhan Dan) reported the incident and said that the pilot was probably killed.

PRICE, Bryan D., JR.	E4/USA	2 MAY 70	CB	XU57810
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COMMENTS: Returnees reported that subject was observed running toward a tree line directly into the VC line of fire. Subject believed KIA while attempting to leave the crash site. (Others in incident: NAME, F.H. Crowson, M.B. Varnado, D.F. Maslowski, NAME, R.L. Griffin, and B.D. Price, Jr.).

BOWLING, Roy E.	04/USN	17 NOV 65	VN	WJ58711
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COMMENTS: Subject made his ejection at aircraft speed in excess of 500 knots and at 150 feet altitude. Returnee did not see any movement or hear any signals after reaching the ground. Returnee believes subject was killed in the incident.

NAME	02/USN	24 OCT 67	VN	WJ48736
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COMMENTS: Returnee feels subject did not survive the incident due to explosion of SAM over aircraft which caused extensive damage to canopy. Also, malfunction of several mechanical devices hindered ejection.

DARR, Charles E.	03/USAF	20 DEC 72	VN	WJ883248
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COMMENTS: Returnee reported that subject was injured and that his ejection seat did not work. Later NVN told him that subject died in the crash.

FOBAIR, Roacoe H.	03/USAF	24 JUL 65	VN	WJ155348
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COMMENTS: Returnee was informed by NVN that subject was killed in the incident and his body was found in the wreckage.

GRAHAM, Allen U.	02/USAF	16 OCT 72	VN	WJ487288
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COMMENTS: Hanoi newspaper released radio photo of ID card of this crew which was shot down in Vinh Phu Province while flying an F111. Subject was reportedly killed in the crash.

HOCKRIDGE, James A.	03/USAF	16 OCT 72	VN	WJ487288
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COMMENTS: Hanoi newspaper released radio photo of ID card of this crew which was shot down in Vinh Phu Province while flying an F111. Subject was reportedly killed in the crash.

CATEGORY C (PROBABLY DIED IN INCIDENT)

NAME	RANK/SERV	DATE	COUNTRY	LOCATION
GRAHAM, James S.	0667-01 02/USN	2 MAY 67	VN	WJ833248

COMMENTS: Source reported that subject landed near a SAM site and was captured.

HANSON, Robert T., JR.	0247-01 02/USN	3 FEB 66	VN	WJ833248
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COMMENTS: Subject had good chute and ejection and landed in the water. Subject was picked up by NVA boats which were strafed by U.S. aircraft. Returnee stated that subject died.

DECLASSIFIED (PROBABLY CAPTURED) DATE 10/10/01

NAME	RANK/SERVICE	DATE	COUNTRY	LOCATION
DEMON, DAVID S. 0044	02/AR	9 Jun 65	VS	XR 500 60
DALE, CHARLES A. 01/02/AR		9 Jun 65	VS	XR 500 60
COMMENTS: ARVN escapee reported seeing 3 US PWs in Chuong Thien (P) in Jan 65. VC stated that PW was captured a short time earlier. 2 days later, PW was reported to U Minh Forest. DEMON, DS ident as PW. Wreckage of OV10 loc at XR 515 627 on 9 Nov 71 could possibly be LT Dale's acft. (CREW: DEMON, DAVID S. AND DALE, CHARLES A.)				
GRAF, JOHN C. 1523-01	04/HA	15 Nov 69	VS	XR 735 76
COMMENTS: Several rpts correlate with his capture. Sources rpt subj died by drowning in an escape attempt and was buried at XR 6567. Source ident photo of subj as the man who had died and stated that GRAF was buried by LNS in area of 01 Long Toan at XR 6567. Returnee rpt that he heard GRAF's name over NVN radio in late 71. Rpts on file that correlate with subj which indic that he is alive as of 1973.				
CICRON, WALTER ALAN	04/AR 1112-01	30 Mar 68	VS	YA 936 9
COMMENTS: Subj rec head injury and unit was forced to withdraw leaving subj behind with NVA troops only 50 meters from his position. Two ralliers reported a US PW (with a head wound) and other characteristics that agree with those of CICRON, report closely correlates with subj.				
SIMPSON, JAMES EDWARD	CIV 1313-02	5 Nov 68	VS	BN 690 5
COMMENTS: SIMPSON & CORNTHWAITE left Qui Nhon for SGN in a jeep, and were captured during an ambush. Ralliers reported CORNTHWAITE allegedly was killed during escape attempt. Returnee reported hearing CORNTHWAITE's name on Hanoi Radio in late 1971. CORNTHWAITE's name was found on the wall and a scrap of paper at the Citadel in Jan 73.				
NAME	CIV	6 Apr 70	CB	IR 170 2
	CIV	6 Apr 70	CB	IR 170 2
COMMENTS: Last seen 10 miles East of Chi Phu (together). Several reports on hand which refers to a group of white civilians who had been seen North and Northwest of Chi Phu in April 1970, walking toward the North under guard.				
YOKAN, KENNETH J.	03/AR 1835-01	24 Apr 72	VS	CB 051 2
COMMENTS: Subj was last seen on the water tower at Tanh Canh when the compound was overran. Subj had radio contact with U.S. Unit and rpt, that he would get out as soon as possible. ARVN escapees reported that they witnessed the capture of a US Captain in mid May 1972. The PW had been hiding in a bunker (water tower) on Tanh Canh for approx 30 days.				
NAME		30 May 62	VS	BR 675 1
COMMENTS: Abducted 30 May 62 from the Christian & Missionary Alliance leprosarium along with NAME. Reports on file that describes the capture and subsequently movements for several weeks. NAME > allegedly killed.				

CATEGORY D - (PROBABLY CAPTURED)

NAME	RANK/SERVICE	DATE	COUNTRY	LOCATION
PUTNAM, CHARLES L.	02/NA	0611-01 9 Mar 67	VN	IX 133 079
COMMENTS: Subject was last seen by a returnee as subject was being led away by captors.				
TEAGUE, JAMES E.	02/NA	19 Nov 67	VN	IX 717 933
COMMENTS: A picture of subject's ID card was published in Hanoi newspaper. A cable photo from Warsaw featured a story on subject's capture in Haiphong.				
VESCELIUS, MILTON J.	02/NA	0840-01 21 Sep 67	VN	IX 784 155
COMMENTS: Subject was last seen on the ground as his chute was being removed and he was being taken prisoner. Reports on hand correlate to subject's capture.				
HARNAVEE, CHAI CHAN	/AR	25 May 65	VN	EJ 883 245
COMMENTS: Subject was crewmember of Ernie Brace. A returnee last saw subject at the "ZOO" on 15-16 Mar 73. Subject was being kept in the "Barn" and was removed and taken out of camp. Subject reportedly was told that his capture in Laos put him in a different status.				
NAME		5 Sep 63	LA	IX 250 480
COMMENTS: Positively identified as PW by escapee. Subject was last observed during escape attempt. Subject was in very weak condition and in the company of an individual nicknamed "YC".				
ERDLICKA, DAVID L.	03/AF	0084-01 18 May 65	LA	VR 200 535
COMMENTS: Subject made several anti-war broadcasts while he was being held captive. At time of shoot down he was observed being led away by captors.				
STRATTON, CHARLES W.	03/AF	1688-02 3 Jan 71	LA	WD 940 685
COMMENTS: Subject was on a night strike mission when shortly after contact with PAC, a large fireball was observed. No chutes were seen nor beeper heard. Information on file correlates with subject and indicates that subject was held as PW.				
THOMAS, KENNETH D.	02/AF	0329-01 5 May 66	VN	XJ 900 655
COMMENTS: Returnee state that subjects name never appeared in the PW system. Subjects family identified him in a NVA propaganda film taken during the Christmas season.				
FSTES, WALTER O.	03/NA	19 Nov 67	VN	XE 717 925
COMMENTS: Subject was seen in his chute by the pilot of his aircraft. His ID card photo was published by Hanoi newspaper.				

CATEGORY D (PROBABLY CAPTURED)

NAME	RANK/SERVICE	DSN DATE	COUNTRY	LOCATION
NOLAN, MCXINLEY	146-03 E4/AR	9 Nov 67	VS	KT 560
COMMENTS: Subj deserted 9 Nov 67 in Long An Prov. Reports on file that he has numerous propaganda photos and leaflets of his being welcomed to the NLF. He is reported seeing NOLAN in Cambodia - indiv was armed and was working along with the VC, subject was last sighted in Jan 1973.				
GARWOOD, ROBERT R.	E1/MA	28 Sep 65	VS	BT 050
COMMENTS: Subject is a deserter and returnee reported that subj was working with the NVA in Hanoi. Allegedly indiv has been appointed a political officer with the rank of LT.				
MCLEAN, JANIS H.	0054-01 E4/AR	9 Feb 65	VS	YU 450
COMMENTS: Last seen as an advisor when camp was over run. Ident as PW by comparison of photos furnished by family with some captured photos.				
NAME		23 Jun 70	VS	XT 801
ROZO, JAMES M.	E4/AR	23 Jan 70	VS	XT 801
COMMENTS: Reports on file that correlates with subjects which indicates 1 US PW taken from a vehicle, 1 died (probably PEDERSON) as a result of wounds, the other overpowered guards and escaped, vehicle in which ROZO, JAMES and NAME were riding was found on side of road with motor running with 12 bullet holes in it.				
NAME	R. E6/AR	8 Sep 68	VS	XS 523
COMMENTS: Subject was last seen being led away from the private home of his SVN friends, located at 665 XA CU Kien Thiet Thu Duc, Gia Dinh (P). Several subsequent reports (sighting) from agents and detainees have confirmed subjects capture.				
REILLY, EDWARD DANIEL	E4/AR	0318-C/26 Apr 66	VS	LT 127
COMMENTS: A rallier reported seeing US PW in Cambodia in Jul 66. PW description matches subject's in addition, there are other reports on file which indicate the subject was taken prisoner.				
NAME		31 Dec 64	VS	ZC 101
COMMENTS: Subject had good chute with voice contact on the ground. Reported that he was surrounded - presumed captured. FBIS May 1967 - Hanoi reported pilot was captured just as soon as he hit the ground. Report on file which contains info. c downing and capture of US pilot which correlates with subject.				
WANGKHON, NOIPADON D.			VN	WJ 899
COMMENTS: Last seen at the "ZOO", 15-16 Mar 73. Subject was being kept in the barn, and had been removed that night and taken out of camp. Subj had been told that his capture in Laos put him in a different status. Indiv very concerned about his chances for release.				

GRI, D (PROBABLY CAPTURED)

NAME: GRI, D (PROBABLY CAPTURED) RANK/SERVICE: 03/AF 1868-07 16 Oct 67. COUNTRY: VN. LOCATION: XD 739 690
 COMMENTS: Subject was acknowledged prisoner of the DRV. He reportedly was having
~~no problems.~~ *Extensive Rehabilitation*

NAME: GRI, D 23 Nov 68. COUNTRY: VN. LOCATION: XE 591 408
 COMMENTS: The DRV high command cited the SAM Battery involved in shoot down of
 subject's aircraft and for capturing the pilots. This action by the DRV correlated
 directly to subject. Returnee reported subject alive on the ground and surrounded
 by NVA personnel.

DUCAT, BRUCE C. 02/AF 2 Dec 66. COUNTRY: VN. LOCATION: WX 344 031
 COMMENTS: Subject was identified as PW by returnees. Hanoi reported capture of
 pilot which correlated with the shoot down of subject. Returnee saw helmet with
 DUCAT's name on it.

GREILING, DAVID S. 04/NA 1234-01 24 Jul 68. COUNTRY: VN. LOCATION: XE 322941
 COMMENTS: Source reports identify subject as PW in Hanoi

METZ, JAMES H. 04/AF 15 Apr 68. COUNTRY: VN. LOCATION: XE 484 518
 COMMENTS: Subject had good chute and beeper contact. Report of capture of US
 pilot correlate precisely to subject.

TECHNICAL

REPORT 002-92

CORRELATION STUDY - POW/MIA

21 AUGUST 1992

APPENDED DOCUMENT CONTAINS

MATERIAL

CORRELATION STUDY - POW/MIA

This correlation study is an analytical working aid attempting to correlate all available Vietnam War era to specific POW/MIA cases. The correlations are based on field site reporting, end product and summary reporting, US forces summaries introduced into reporting channels, and reporting. The correlations are not definitive and require validation by DIA.

Our overall goal in conducting the study was to ensure that all Vietnam War era has been scrutinized for any information possibly pertaining to POW/MIA's and all POW/MIA related has been provided to DIA to assist in resolving the POW/MIA issue.

This is an ongoing study and consequently this document may be updated due to further analysis or as more information becomes available. Please direct questions on document content to

CORRELATION STUDY - POW/MIA

Background:

In November 1991, in response to the newly-established Senate Select Committee on POW/MIA Affairs, we initiated a search through records, archives, and computer storage for all data relating to the Vietnam War era POW/MIA issue. The results of previous similar studies were reviewed, and a POW/MIA Tiger Team was formed to concentrate solely on this task.

Primary emphasis was placed on the retrieval and review of and field site reporting during the war years. Over reports were machine scanned, of which, over reports potentially relevant to the POW/MIA issue were extracted. These plus reports were then manually scanned, and nearly were retained for further analysis. Of the reports retained, over were determined to have information pertaining to U.S. POW/MIA's. Over of these reports contained names of, or could be correlated to, individuals who were either lost or taken prisoner during the war.

All correlations are considered initial analysis and are forwarded to DIA for review and further study. At DIA the possible correlations are subjected to an in-depth validation process using all-source information and the official individual case files.

As of 20 August 1992, we have made 878 possible correlations to U.S. POW/MIA's. Of these 878 individuals, 448 are resolved cases where the individual was a POW and was returned at Operation Homecoming or the individual's remains have been returned or recovered. The remaining 430 cases possibly reflected are, to date, unresolved cases.

CORRELATION STUDY - POW/MIA

Errata:

(U) Status Abbreviations: For ease in analysis and compatability with other DOD POW/MIA records, the correlation study utilizes the same status abbreviations contained in DIA's POW/MIA listing, "U.S. Personnel, Southeast Asia (and Selected Foreign Nationals)", dated 9 March 1992. These abbreviations are as follows:

AA	=	AWOL/Deserter
BB	=	KIA, Body not recovered
BR	=	KIA, Body recovered
CC	=	Civilian Detainee, released
EE	=	Escapee
KK	=	Died in Captivity (remains unrecovered)
KR	=	Died in Captivity (remains returned)
MM	=	Missing in Action (MIA)
NR	=	Negotiated remains returned
PP	=	Prisoner of War (POW)
RR	=	Returnee (released alive)
XX	=	Presumptive finding of death
ZM	=	Post 1975 yacht related detainee
ZR	=	Post 1975 yacht related detainee, released
--	=	Status not recorded

POW/MIA correlations, as of 15 August 1992:

Correlated cases: 878 individuals

Resolved cases: 448 individuals

"BR"	KIA, Body Recovered	=	14
"CC"	Civilian Detainee & Released	=	2
"EE"	Escapee	=	2
"KR"	Died in Captivity & Remains Returned	=	8
"NR"	Deceased, Remains Returned	=	116
"RR"	Released Alive	=	306

Unresolved cases: 430 individuals

"AA"	Deserter/AWOL	=	1
"BB"	KIA, Body Not Recovered	=	182
"KK"	POW in captivity (last known status)	=	4
"MM"	Missing (last known status)	=	7
"PP"	POW (last known status)	=	1
"XX"	Presumed Dead (XX)	=	228
	Status Unknown	=	7

Additionally, the correlation study has 79 individuals on the list who were not correlated in but were crewmembers/involved in the same incident with correlated cases, and are included to aid in analysis of the subject cases.

CORRELATION STUDY - POW/MIA

Utilization:

(U) The following paragraphs will aid the reader in fully understanding the data contained in the correlation study. Note that while all data is listed here on the guide, some data may not be included for any one individual case.

All entries are listed chronologically. While the Refno (Reference Number) system was intended to be a chronological format, some entries were made after the fact, causing some Refno's to be out of order when listed chronologically. We found that a chronological system, supplemented by the case Refno's was easiest to work.

First entry for each case contains;

- 1) The DIA case Refno
- 2) The individual's name
- 3) The individual's rank
- 4) The individual's branch of service
- 5) The individual's status as currently carried by DOD, and date of return if a resolved case
(Abbreviations are expanded on next page)

Second entry for each case contains;

- 1) Date of loss
- 2) Country of loss

Third entry for each case contains;

Vehicle of loss (in most cases an aircraft)

- 1) Aircraft type
- 2) Aircraft type nickname
- 3) Aircraft tail number
- 4) Aircraft mission call sign

Fourth entry for each case contains;

Unit of assignment and base of departure at time of loss
(for naval aviators aircraft carrier vice base)

Fifth entry for each case contains;

Report serial and report Date/Time Group (DTG)

Subsequent Entries;

Amplifying data. The amplifying data is notated in one or a combination of three formats:

- 1) Summary of information; A concise summary of pertinent information.
- 2) Verbatim extracts from reports; Annotated by quotation marks, extracts of pertinent information exactly as reported.
- 3) Analyst's notes; Preceded by "Notes", analyst's comments or analyst's inclusion of pertinent collateral source or background information.
- 4) DIA preliminary assessment; Cases reviewed by DIA to date, along with initial validity assessment.

is the closest possible match. This . . . has already been used in formulating an all source position by DIA on Refno 1924. This recent review of the . . . did not add anything new to Refno 1924.

DATA	NAME	1Lt.	USAF	BE
	NAME	Capt.	USAF	BB
	720917	North Vietnam		
	F-105G	Thunderchief # ...-8360		
		181930z Sep 72		
		170410z Sep 72		
		170705z Sep 72		
		170745z Sep 72		

'at 0355 sighted one parachute over water.' At 0653 the citizens of Cao Luan ! capturing one pilot. Possibly reference to Turose & Zorn, but more probably pertains to A-6A of Buell & Donnelly.

- DIA preliminary assessment: DIA concurs that this : possibly correlates to this case. This is the same which was possibly equated to Refno 1924. Refno 1924 is a better overall match. On-scene commander indicated Refno DATA crew drowned. DIA estimates that the is a better match for Refno 1924.

1926	Carroll, Roger W. Jr	Maj.	Pilot	USAF	XX
	Cook, Dwight W.	1Lt.	WSO	USAF	XX

720921 Laos
F-4D Phantom # ...-8769 "Joyhop 01"
555th TFS, 432nd TRW, Udorn RTAFB, Thailand
241000z Sep 72
240905z Sep 72
262055z Oct 72
331945z Oct 72
021947z Oct 72

- Note: Shot down by AAA.
- The 120th AAA Battalion of the 284th AAA Regiment shotdown one F-4 and captured one of the pilots at 1556z on 26 September 72.
- An AAA unit fired on an F-4B causing it to trail flames. No report of actual crash or reflections of aircrew.
- DIA concurs with the initial correlation for this case. The . . . indicates at least one of the crew was captured and one was dead. This information has already been incorporated in an all source position for this Refno. This recent review of the did not add anything new to Refno 1926.

1927	Borah, Daniel V. Jr.	Lt.	Pilot	USN	XX
------	----------------------	-----	-------	-----	----

720924 South Vietnam
A-7B Corsair NM-500 # 154486 "Saddleback 500"
VA-155, CVW-19, CVA-34 Oriskany
231104z Nov 72
240630z Sep 72
051056z Oct 72

- Note: Loss attributed to AAA.
- Between 23 and 24 Sep shot down many aircraft and captured alive an unspecified number of pilot
...one of the units had shot down ... one navy A-7
aircraft and captured the pilot alive.

1928	Walsh, James P.	Capt.	Pilot	USMC	RR 730212
------	-----------------	-------	-------	------	-----------

720926 South Vietnam
A-4E Skyhawk #
111015z Oct 72

.the person who really saved the American pilot..

1929	Brett, Robert A.	1Lt.	WSO	USAF	XX
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During the 29-30 Oct 89 meeting in Hanoi Gen Vessey passed a narrative on this case to the Vietnamese Foreign Minister Nguyen Co Thach.

COMPLETED

CASE 1927: LIEUTENANT DANIEL V. BORAH, JR., U.S. NAVY

FACTS: U.S. witnesses reported that after his A-7 was disabled by 37mm AAA, Lieutenant Borah parachuted alive into strongly held PAVN territory in Quang Tri Province on 24 September 1972. Intelligence indicates he was captured.

INVESTIGATION RESULTS TO DATE:

1. According to Vietnamese officials, no civilians inhabited the area of incident until 1975; yet no military witnesses were made available for interview.
2. No records from the Enemy Proselyting Section (Phong Binh/Dich/Van), the Group 559 evacuation system, the 284th AAA Regiment, or other PAVN units in the area from 1 September 1972 to January 1973 were made available to the joint investigation team. Neither were records of the same time period available from Cam Lo District or Quang Tri Province.
3. The joint team investigated a spot 1/2 kilometer northeast of Borah's recorded crash site, finding neither remains nor wreckage associated with an A-7.
4. Borah ejected from his plane and was known captured; investigation of his crash site is irrelevant.

ADDITIONAL DETAILS ON CASE:

On 24 September 1972, Lieutenant Borah's A-7 was hit by 37mm AAA over heavily occupied PAVN territory near the DMZ. Nhan Dan and U.S. intelligence attributed this strike to the PAVN 120th AAA Battalion, 284th AAA Regiment at Dong Lon (YD220656) or Tan Vinh (YD238547). The pilot was reported captured. Regimental Commander Len and "Comrade Nhan" were both associated with 284th Regiment at that time.

A U.S. Navy forward air controller watched Borah's chute from ejection to descent into the tree canopy. While descending in the chute, Borah transmitted a lucid, professional status report and did not mention any injuries or disabilities. Borah's chute came down in his target area -- entrenched PAVN bunkers in the vicinity of YD130537, approximately six kilometers south of Thon Cam Lo (a military airfield and the district seat of Cam Lo District), Quang Tri Province, South Vietnam.

Manual beeper signals were transmitted from the ground. The search and rescue team saw the chute being pulled down into the trees by unseen person(s). Tree canopy concealed all ground activity from overhead view. No voice or beeper transmissions were received after the chute disappeared. We believe the Enemy Proselyting Section (Phong Binh/Dich Van) and the 559 Group evacuation system would have been responsible for the prisoner.

Borah was the only U.S. loss on 24 September 72, and the only U.S. loss in Quang Tri Province for 1 month prior and 3 months after 24 September 72.

H: 1927 VF-1-91

CASE 1927: LIEUTENANT DANIEL V. BORAH, U.S. NAVY

INCIDENT SUMMARY: LT Borah's A7 aircraft was shot down by anti-aircraft artillery 12 kilometers southwest of Dong Ha City on 24 September 1972. He parachuted to safety and was captured by communist forces in the area within minutes of his shootdown.

JOINT INVESTIGATION: No relevant information was obtained. The effort was limited to examination of an unidentified crashsite and searching for civilian witnesses, of which there were none, in that the area was not populated during this time. Neither central or local officials volunteered information about this case, nor were records or former military witnesses sought.

U.S. ASSESSMENT: This is a very compelling case, and one which we believe is resolvable through information research. The air defense unit which shot LT. Borah's aircraft down reported his capture within minutes of the event, indicating this unit had itself made the capture. Quang Tri Province in 1972 was heavily fortified with air defense, including at least nine anti-aircraft artillery regiments, several of which were located in the area around Dong Ha. We know the shootdown and capture were reported through air defense command channels and expect that the disposition of the pilot was the subject of subsequent reports per standard procedure, through channels to Hanoi.

RECOMMENDATIONS: Request information-seeking team conduct research on this case. Relevant information should be located in the records of PAVN Air Defense Forces, as well as Ministry of Defense General Political Directorate, particularly Group 375, Department of Military Justice and Enemy Proselyting Department.



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370-3000

IN REPLY REFER TO

1771
663P

25 OCT 1995

Mr. and Mrs. Daniel V. Borah Sr.
309B Lee Avenue
Olney, IL 62450

Dear Mr. and Mrs. Borah:

Enclosed is a document from the Joint Task Force - Full Accounting (JTF-FA) concerning your son. We are furnishing this information in keeping with our commitment of providing everything we receive relating to your son.

If there is anything else we can do to assist you, please call Lieutenant Michael Theres or Mo. Marian Dempksi on our toll free line at 1 (800) 443-9298.

Sincerely,

T. P. TRANT
Head, Casualty Assistance
Branch (Pers-663)

Encl:

(1) CDR JTF-FA 180912Z OCT 95

Received - 11/2/95 -

Long - [Signature]

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ARLINGTON HALL
MESSAGE CENTER26
25 Oct 95

ROUTINE Z/UM RUMPSG644C 231091Z
R 180912Z OCT 95 2VB
FM CDR JTF-FA HONOLULU HI//J2//
TO BUPERS WASHINGTON DC//PERS-G63P//
INFO SECDEF WASHINGTON DC//USOP-ISA OPWC//
WHITE HOUSE NATIONAL SECURITY COUNCIL WASH DC
SECSTATE WASHINGTON DC//CA/DCS/ACS/EAP/VLL//
JOINT STAFF WASHINGTON DC//J5//
CIA WASHINGTON DC//DEA/SEA/IB/UOD/EA/1COG//
DIA WASHINGTON DC
USCINCPAC HONOLULU HI//J2/J3/J30-M//
USCINCPAC LO WASHINGTON DC USDAO BANGKOK TH//PW-MIA//
CORUSACILHI HICKAM AFB HI//TAPC-PEO-M//

UNCLAS //403460//
MSGID/GENADMIN/CDR JTF-FA/J252//
SUBJ/EVALUATION OF JTF-FA RPT VN95-030: (WALK-IN) VIETNAMESE
CITIZEN PROVIDES INFORMATION ABOUT PRIORITY CASE 1927//
REF/A/RMG/CDR JTF-FA/250912ZSEP95//
RMKS/1. REF A REPORT PROVIDES THE DETAILS OF AN INTERVIEW WITH
MR. DUONG XUAN TOAN, THE WARTIME FIRE COMMANDER OF BATTERY 4, 9TH
AAA COMPANY, 3RD BATTALION, 45TH REGIMENT, 351ST PAVN DIVISION.
MR. TOAN PROVIDED A FIRSTHAND ACCOUNT OF THE SHOOTING DOWN OF AN
A-7 AIRCRAFT AT 1245 HOURS ON 24 SEP 72. THE AIRCRAFT CRASHED
THREE KILOMETERS SOUTHWEST OF HIS AAA BATTERY, NEAR MAI LOC HAMLET
(YD1151), CAM CHINH VILLAGE, CAM LO DISTRICT, QUANG TRI PROVINCE.
MR. TOAN OBSERVED THE PILOT EJECT FROM THE AIRCRAFT WHEN MR. TOAN
AND HIS SOLDIERS ARRIVED. THE PILOT WAS DEAD. MR. TOAN AND FOUR
OTHERS BURIED THE PILOT'S BODY IN A CREVICE. MR. TOAN RECOVERED THE
PILOT'S IDENTIFICATION CARD, WHICH HE TURNED OVER TO HIS SUPERIORS.
HE NOTED THE PILOT'S NAME WAS BORAH. ANALYSIS OF THE INFORMATION
PROVIDED IN REF A INDICATES A PROBABLE CORRELATION TO REFNO 1927.
THIS IS NOT A FINAL EVALUATION.
2. CIRCUMSTANCES OF REFNO 1927: ON 24 SEP 72, NAVY LIEUTENANT
DANIEL V. BORAH, JUNIOR, WAS FLYING THE LEAD A-7B ATTACK BOMBER
IN A FLIGHT OF TWO AIRCRAFT ON A DAYTIME STRIKE MISSION OVER
SOUTHERN VIETNAM. THE AIRCRAFT, SERIAL NUMBER 154436, WAS HIT BY
ANTI-AIRCRAFT ARTILLERY (AAA) FIRE AND CRASHED IN THE VICINITY OF
GRID COORDINATES YD140540, APPROXIMATELY 20 KILOMETERS WEST OF QUANG
TRI CITY, QUANG TRI PROVINCE. THE WING MAN DID NOT OBSERVE LIEUTENANT
BORAH PARACHUTE FROM HIS AIRCRAFT. HOWEVER, THE CREW OF AN AIR
FORCE FORWARD AIR CONTROL (FAC) AIRCRAFT REPORTED SIGHTING A PARACHUTE.
TWO OTHER AIRCRAFT OPERATING IN THE AREA REPORTED MONI-
TORG A RADIO BROADCAST FROM LIEUTENANT BORAH WHILE HE WAS IN HIS
PARACHUTE. THE WING MAN AND THE FAC SAW LIEUTENANT BORAH'S PARACHUTE
LAND IN SOME TREES IN THE VICINITY OF GRID COORDINATES YD138537.
APPROXIMATELY 400 METERS SOUTHWEST OF THE CRASH SITE. AFTER THE
PARACHUTE LANDED, THEY HEARD AN ELECTRONIC BEACON SIGNAL FOR APPROX-
IMATELY 10 - 15 SECONDS. FIFTEEN MINUTES LATER, THEY SAW THE PARA-
CHUTE BEING REMOVED FROM THE TREES. THEY WERE UNABLE TO REESTABLISH
RADIO COMMUNICATIONS WITH LIEUTENANT BORAH. SUBSEQUENT SEARCH AND
RESCUE EFFORTS FAILED TO LOCATE ANY SIGN OF THE DOWNED PILOT.
LIEUTENANT BORAH IS UNACCOUNTED-FOR.
3. MR. TOAN'S EYEWITNESS ACCOUNT DIRECTLY CORRELATES WITH REFNO 1927
CIRCUMSTANCES BASED ON LOCATION, DATE, TIME OF DAY, TYPE OF AIRCRAFT
INVOLVED AND NAME ASSOCIATION. HIS PHYSICAL DESCRIPTION OF THE DEAD
AMERICAN PILOT RESEMBLES LIEUTENANT BORAH. MR. TOAN'S FIRSTHAND
ACCOUNT OF LIEUTENANT BORAH'S DEATH AND BURIAL PROVIDES COMPELLING
CORROBORATION TO SIMILAR INFORMATION PROVIDED BY THREE WARTIME RESI-
DENTS OF CAM CHINH VILLAGE DURING THE 21ST JOINT FIELD ACTIVITY.
THESE WITNESSES HEARD AN AMERICAN PILOT WHOSE AIRCRAFT HAD BEEN SHOT
DOWN NEAR THE VILLAGE IN THE SUMMER OF 1972 WAS KILLED AND HIS BODY
BURIED IN A BOMB CRATER. THESE WITNESSES ALSO IDENTIFIED COMPANY 9
AS THE PAVN UNIT INVOLVED IN THE INCIDENT.
4. MR. TOAN REPORTED THAT FOUR ADDITIONAL PERSONNEL PARTICIPATED
IN THE BURIAL. MR. THAI (A MAJOR IN THE PAVN AIR DEFENSE COMMAND
IN HANOI), MR. LY AND MR. LAM (CIVILIANS LIVING IN NAM HA AND MAI
HUNG PROVINCE RESPECTIVELY) AND ANOTHER INDIVIDUAL WHOSE NAME HE
COULD NOT RECALL. MR. TOAN ALSO INDICATED THAT MR. BINH (NFI),
ALSO A MAJOR IN THE PAVN AIR DEFENSE COMMAND IN HANOI, KNOWS THE
LOCATION OF THE BURIAL SITE.
5. FOR BUPERS/PERS-G63P: . FORWARDED FOR APPROPRIATE ACTION. A
SANITIZED COPY OF REF A WILL BE FORWARDED SEPARATELY.
6. EVAL: KLE//ET

BUPERS WASH DC
ACTION PERS66(4)
INFO ECCTOT TFK CK-USM(1)

(U,T,F)

5

MCN-95289/24815 TOP-95289/2044Z IAD-95289/2044Z COSN-MAB302
PAGE 1 OF 1
180912Z OCT 95.

UNCLASSIFIED

Case 1927 (Borah)

1 of 2

SUMMARY OF INVESTIGATION:

- In January 1989, a joint team visited Cam Chinh Village, Dong Ha City, Quang Tri Province, to investigate this case.
- The team surveyed a crash site which was within one kilometer of the U.S. recorded crash site location for Case 1927. The team did not recover any significant wreckage which could lead to an identification of the aircraft type.
- The team did not locate any witnesses to the incident.

U.S. COMMENTS:

- This is a Category 3 case requiring further joint efforts.
- Lieutenant Borah parachuted alive into strongly held PAVN territory. Search and rescue forces saw his parachute being pulled down from the trees by unseen personnel.
- Since no civilians inhabited the area prior to 1975, only personnel assigned to PAVN units in the area would have information on this incident.

Case passed to the VNOSMP during the 10-12 July 1990 technical meeting in Hanoi

5.

2 of 2

Case 1927

- We ask the VNOSMP search for eyewitnesses from among PAVN units who were assigned to the area.
- Nhan Dan and U.S. intelligence attributed the downing of Lieutenant Borah's aircraft to the PAVN 120th AAA Battalion, 284th Regiment at Dong Lon (YD220566) or Tan Vinh (YD238547). The pilot was reported captured. "Regimental Commander" and "Comrade" were both associated with 284th Regiment at that time.
- Lieutenant Borah's parachute descended in an area of entrenched PAVN bunkers in the vicinity of YD138537, approximately six kilometers south of Thon Cam Lo (a military airfield and the district seat of Cam Lo District), Quang Tri Province.
- We believe the Enemy Proselyting Section (Phong Binh/Dich Van) and the 559 Group evacuation system would have been responsible for prisoner in this area.
- Research of military archival records should provide more information on this incident.

1987

22/32

CASE 1927: DANIEL V. BORAH JR

INFORMATION FROM THE AMERICAN SIDE:

ON 24 SEPTEMBER 1972 BORAH PARACHUTED FROM HIS A-7 AIRCRAFT OVER QUANG TRI. THIS AREA WAS NEAR THE DMZ, 6 KM SOUTH OF CAM LO HAMLET AND UNDER THE CONTROL OF THE PEOPLES ARMY OF VIETNAM. A BEEPER SIGNAL WAS SENT FROM THE GROUND AND AN AMERICAN RESCUE TEAM WAS SENT TO THE AREA TO ONLY SEE THE PARACNUTE BUT NO PILOT. INTELLIGENCE INDICATES THAT BORAH WAS CAPTURED.

INVESTIGATION RESULTS:

A JOINT INVESTIGATION TEAM WENT TO THE EXACT LOCATION OF THE INCIDENT BUT COULD FIND NOBODY WHO KNEW OF THIS INCIDENT AND COULD FIND NO TRACE OF THE CRASHED AIRCRAFT OR THE PILOT. ~~THE AMERICAN SIDE SAID THE JOINT TEAM HADN'T YET BEEN ABLE TO READ ANY REPORTS FROM THE PROSELYTIZING UNIT OF THE PRISONER TRANSPORTATION UNIT 5-9 AND F1 1 THE PEOPLES ARMY OF VIETNAM UNITS OPERATING IN THAT AREA FROM 1 SEPTEMBER 1972 - JANUARY 1973.~~

THE AMERICAN SIDE SAID THE JOINT TEAM HADN'T YET BEEN ABLE TO READ ANY REPORTS FROM THE PROSELYTIZING UNIT OF THE PRISONER TRANSPORTATION UNIT 5-9 AND F1 1 THE PEOPLES ARMY OF VIETNAM UNITS OPERATING IN THAT AREA FROM 1 SEPTEMBER 1972 - JANUARY 1973.

THE UNITS MENTIONED ABOVE ARE CURRENTLY NOT IN EXISTANCE AND THERE ARE NO DOCUMENTS TO BE REVIEWED. PROPOSE WE CONCLUDE THIS CASE FOR THERE IS NOTHING MORE TO BE FOUND.

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON, D.C. 20370

REF ID: A66666
Pers-732-mgs

12 AUG 1977

Dear Mr. and Mrs. Borah,

Writing letters of this nature is never an easy thing to do, but it is my unhappy task to confirm that your son, Lieutenant Daniel Vernor Borah, United States Naval Reserve, has been presumed killed in action as of 26 July 1977. The finding was made in accordance with the provisions of the Missing Persons Act after specific approval of the Secretary of the Navy and in consonance with current regulations.

I know that you have been provided all of the information on which this action was based, but the following is a resume for your review.

On 24 September 1972 Lieutenant Borah was the flight leader of a two plane (A-7 Corsair) strike group against North Vietnamese troops entrenched in bunkers 10 nautical miles northwest of Quang Tri City, South Vietnam. The flight was under the tactical direction of a Forward Air Controller (FAC), call sign Nail 30. A smoke rocket was dropped on target by the FAC and Lieutenant Borah commenced his initial bombing run against the target. As soon as he pulled off target his wingman commenced his initial run. The wingman expended his entire ordnance load on his first bombing run and then stationed his aircraft at 13,000 feet over the target to observe Lieutenant Borah's succeeding bomb runs. Lieutenant Borah commenced his second run and the wingman observed a barrage of anti-aircraft fire in Lieutenant Borah's vicinity. The wingman immediately directed Lieutenant Borah to take evasive action, however, he was already established in his bombing run and Lieutenant Borah's aircraft burst into flames. The wingman told him to eject and the FAC observed the ejection. The parachute descent and a radio transmission by Lieutenant Borah was monitored by other aircraft in the crash vicinity. Lieutenant Borah's chute was observed hanging in a tree for approximately 10 minutes then it was pulled from the trees and disappeared into the jungle. No radio contact was established with him after he landed, however his emergency beeper was monitored for 10 to 30 seconds after parachute landing. Search and rescue (SAR) efforts started immediately but efforts to contact him were unsuccessful. Visual SAR efforts continued for approximately one hour and electronic surveillance of the area continued for two days. All SAR efforts produced negative results.

Intelligence reports indicated that Lieutenant Borah landed in an area heavily populated with North Vietnamese forces and it was possible that he was immediately captured.

Lieutenant Borah was placed in a Missing in Action status. However, the Director of the Personal Services Division under delegated authority of the Secretary of the Navy on 19 October 1972 determined his status should be changed to Captured after reviewing the circumstances surrounding the missing in action report. This determination was made in accordance with the Missing Persons Act (37 USCA 555).

Our repatriated prisoners of war were unable to furnish any information concerning the fate of Lieutenant Borah.

In view of the foregoing and the lack of any additional information, it is believed that Lieutenant Borah died either prior to being captured or shortly thereafter. Accordingly, the presumption of his death was made on 26 July 1977.

Information relating to your son, as well as to the loss of all aircraft in Southeast Asia and the location of the remains of unaccounted-for men will continue to be sought. You will be informed of any information received.

On behalf of the Navy, I extend my deepest sympathies for your long ordeal. If I may assist you, please do not hesitate to contact me.

Sincerely,

James D. Watkins
JAMES D. WATKINS
Vice Admiral, U. S. Navy

Mr. and Mrs. Daniel V. Borah
1312 Scott Street
Olney, Illinois 62450

WHY WAS DAN'S STATUS CHANGED FROM MIA TO CAPTURED.

John F. Kerry, Massachusetts, Chairman
Bob Smith, New Hampshire, Vice Chairman

Tom Daschle, South Dakota
Harry Reid, Nevada
Charles, Robb, Virginia
Bob Kerrey, Nebraska
Herb Kohl, Wisconsin

John McCain, Arizona
Hank Brown, Colorado
Charles Grassley, Iowa
Nancy Landon Kassebaum, Kansas
Jesse Helms, North Carolina

Frances A. Zweng, Staff Director
J. William Codrha, Chief Counsel

Select Committee on POW/MIA Affairs

United States Senate

Washington, DC 20510

(202) 224-2306

BACKGROUND: LIST OF 82

On January 31 and February 1, 1973, the DRV, PRG and PL (the Democratic Republic of Vietnam, the Vietcong's Provisional Revolutionary Government, and the Pathet Lao) provided lists of American POWs to the United States.

Also on January 31 and February 1, the Defense Intelligence Agency prepared a list of American POWs not identified on DRV-PRG-PL lists. This list of 82, including 70 servicemen and 12 civilians, is attached.

The DIA provided Henry Kissinger with loss information about 80 of the people on this list of 82. Dr. Kissinger selected 19 to present to the Vietnamese in Hanoi during his February trip. The make-up of his list of 19 is unclear; however, five were lost in Laos (DeBruin, Shelton, Hrdlicka, Greed, and Evans).

These same names were on the first list of priority cases (102 in all) presented in Saigon on April 17, 1973 to the DRV-PRG representatives. The U.S. received no response.

Name	C	S
ANDREWS, WILLIAM R	N	F
BISZ, RALPH C	N	N
BLACKBURN, HARRY L	N	N
BORAH, DANIEL V JR	S	N
BOWERS, RICHARD LEE	S	A
BOWLING, ROY HOWARD	N	N
BUTT, RICHARD L	N	F
CAPLING, ELWYN R	N	F
CICHON, WALTER A	S	A
CLARK, RICHARD C	N	N
CLARKE, GEORGE W JR	N	F
COCHEO, RICHARD N	S	C
CREED, BARTON S	L	N
DEBRUIN, EUGENE H	L	C
DEMMON, DAVID S	S	A
DEXTER, BENNIE LEE	S	F
DODGE, RONALD WAYNE	N	N
DOYLE, MICHAEL W	N	N
DUCAT, BRUCE C	N	F
ERSKINE, JACK D	S	C
ESTES, WALTER O	N	N
ESTOCIN, MICHAEL J	N	N
EVANS, JAMES J	L	N
FLYNN, SEAN	B	C
FRANCISCO, SAN D	N	F
FREDERICK, WILLIAM V	N	F
GARWOOD, ROBERT R	S	M
GERBER, DANIEL D	S	C
GODWIN, SOLOMON HUGH	S	M
GRAF, JOHN GEORGE	S	N
GRAHAM, JAMES S	N	N
GREGORY, ROBERT R	N	F
GREILING, DAVID S	N	N
HANGEN, WELLES	B	C
HANSON, ROBERT TAFT	N	N
HAUKNESS, STEVEN	S	C
HORNE, STANLEY H	N	F
HRDLICKA, DAVID L	L	F
JOHNS, VERNON Z	S	A
LINDLAND, DONALD F	N	N
LUNA, CARTER P	L	F
LYON, JAMES MICHAEL	S	A
MAYER, RODERICK L	N	N
MCLEAN, JAMES H	S	A
HETZ, JAMES HARDIN	N	F

Name	C	S
MITCHELL, ARCHIE E	S	C
MONROE, VINCENT D	N	N
MORRISON, JOSEPH C	N	F
NOLAN, MCKINLEY	S	A
PATTERSON, JAMES K	N	N
PHILLIPS, ROBERT P	S	A
POWERS, TRENT R	N	N
PRICE, BUNYAN D JR	B	A
PRIDEMORE, DALLAS R	S	A
PUTNAM, CHARLES L	N	N
REHE, RICHARD R	S	A
REILLY, EDWARD D	S	A
REYNOLDS, TERRY L	B	C
ROZO, JAMES M	S	A
RUFFIN, JAMES T	N	N
SCHMIDT, WALTER R JR	S	M
SHAFFER, PHILIP	S	A
SHELTON, CHARLES E	L	F
SIMPSON, JAMES E	S	C
SMALL, BURT CHAUNCEY	S	A
SPARKS, DONALD L	S	A
STONE, DANA	B	C
SULLIVAN, JAMES E	N	N
SYKES, DERRI	S	A
TEAGUE, JAMES ERLAN	N	N
TERRILL, PHILIP B	S	A
THOMAS, KENNETH D	N	F
TOWNSEND, FRANCIS W	N	F
TROMP, WILLIAM L	N	N
TUCKER, EDWIN BYRON	N	N
VAN BENDEGOM, JAMES	S	A
VANDYKE, RICHARD H	N	F
VESCELIUS, MILTON J	N	N
VIETTI, ELEANOR A	S	C
WHITE, ROBERT T	S	A
WILES, MARVIN B	N	N
YONAN, KENNETH J	S	A

C=Country of Loss
 N=North Vietnam
 S=South Vietnam
 L=Laos
 B=Cambodia

S=Service
 A=Army
 F=Air Force
 N=Navy
 M=Marine
 C=City/In

0130113

060

COMPROUD

MISSING AND CAPTURED U.S. MILITARY PERSONNEL
ALPHABETICAL NAME LIST

HOSTILE CAPTURED

NAME	GRADE	SERVICE NO	SERVICE	COUNTRY OF CASUALTY	DATE OF CASUALTY
ABBITT JOHN	CAPT	503134	NAVY	NORTH VIETNAM	20 APR 66
ADAMS SAMUEL	SMS	036240419	AIR FORCE	SOUTH VIETNAM	31 OCT 65
ARROYO-BAEZ GERASIMO	SFC	331699568	ARMY	SOUTH VIETNAM	24 MAR 69
ATTERBERRY EDWIN LEE	MAJ	451450126	AIR FORCE	NORTH VIETNAM	12 AUG 67
9152 RALPH CAMPION	LT	698734	NAVY	NORTH VIETNAM	4 AUG 67
BLACKBURN HARRY LEE JR	CDR	230444565	NAVY	NORTH VIETNAM	10 MAY 72
BORAH DANIEL VERNOR JR	LT	333387776	NAVY	SOUTH VIETNAM	24 SEP 72
BOWERS RICHARD LEE	CAPT	399422149	ARMY	SOUTH VIETNAM	24 MAR 69
BOWLING ROY HOWARD	CDR	575992	NAVY	NORTH VIETNAM	17 NOV 65
BURDETT EDWARD BURKE	COL	260263082	AIR FORCE	NORTH VIETNAM	18 NOV 67
BUTT RICHARD LEIGH	CAPT	229541868	AIR FORCE	NORTH VIETNAM	11 NOV 64
CAMERON KENNETH ROBBINS	CDR	554612	NAVY	NORTH VIETNAM	18 MAY 67
CLARK RICHARD CHAMP	LT	694670	NAVY	NORTH VIETNAM	24 OCT 67
CLARKE GEORGE WILLIAM JR	CAPT	226503591	AIR FORCE	NORTH VIETNAM	16 OCT 67
COBEY EARL GLENN	MAJ	364327201	AIR FORCE	NORTH VIETNAM	5 NOV 67
CONNELL JAMES JOSEPH	LCDR	647433	NAVY	NORTH VIETNAM	15 JUL 66
COOK DONALD GILBERT	MAJ	972734	MARINE CORPS	SOUTH VIETNAM	31 DEC 64
DEYMON DAVID STANLEY	SSGT	946509036	ARMY	SOUTH VIETNAM	9 JUN 65
DENNISON TERRY ARDEN	CDR	623393	NAVY	NORTH VIETNAM	19 JUL 66
DEXTER BENNIE LEE	TSGT	340451834	AIR FORCE	SOUTH VIETNAM	9 MAY 66

MISSING AND CAPTURED U.S. MILITARY PERSONNEL
ALPHABETICAL NAME LIST

NAME	GRADE	HOSTILE CAPTURED			COUNTRY OF CASUALTY	DATE OF CASUALTY
		SERVICE NO	SERVICE	SERVICE		
DODGE RONALD WAYNE	LCDR	637459	NAVY		NORTH VIETNAM	17 MAY 57
DOYLE MICHAEL WILLIAM	LCDR	180329955	NAVY		NORTH VIETNAM	25 AUG 72
DOUGAT BRUCE CHALMERS	CAPT	089320855	AIR FORCE		NORTH VIETNAM	2 DEC 56
DOUSING CHARLES DALE	SMS	504145927	AIR FORCE		SOUTH VIETNAM	31 OCT 65
ESTES WALTER O II	LT	692580	NAVY		NORTH VIETNAM	19 NOV 67
ESTOZIN MICHAEL JOHN	CCR	602376	NAVY		NORTH VIETNAM	25 APR 57
FREDERICK JOHN WILLIAM JR	CWO	002847	MARINE CORPS		NORTH VIETNAM	7 DEC 69
GARWOOD ROBERT RUSSELL	PFC	2069669	MARINE CORPS		SOUTH VIETNAM	28 SEP 63
GRAF JOHN GEORGE	LCDR	570242136	NAVY		SOUTH VIETNAM	15 NOV 58
GRAHAM JAMES SCOTT	LCDR	676696	NAVY		NORTH VIETNAM	4 MAY 67
GREGORY ROBERT RAYMOND	LTC	491362095	AIR FORCE		NORTH VIETNAM	2 DEC 66
GREILING DAVID SCOTT	CDR	577705	NAVY		NORTH VIETNAM	24 JUL 68
GRIFFIN JAMES LLOYD	CDR	595955	NAVY		NORTH VIETNAM	19 MAY 67
GRUBB WILMER NEWLIN	LTC	197241247	AIR FORCE		NORTH VIETNAM	26 JAN 66
HALL HARLEY HUBERT	CDR	549503460	NAVY		SOUTH VIETNAM	27 JAN 73
HANSON ROBERT TAFT JR	LCDR	620373	NAVY		NORTH VIETNAM	3 FEB 66
HARTMAN RICHARD DANHER	CDR	635595	NAVY		NORTH VIETNAM	18 JUL 57
HRDLICKA DAVID LOUIS	LTC	476280603	AIR FORCE		LAOS	13 MAY 55
JOHNS VERNON ZIGMAN	SSGT	218422031	ARMY		SOUTH VIETNAM	3 FEB 60
LIVOLAND DONALD FREDRICK	LCDR	545364099	NAVY		NORTH VIETNAM	6 SEP 72

MISSING AND CAPTURED U.S. MILITARY PERSONNEL
ALPHABETICAL NAME LIST

HOSTILE CAPTURED

NAME	GRADE	SERVICE NO	SERVICE	COUNTRY OF CASUALTY	DATE OF CASUALTY
MAYER ROGERICK LEWIS	LCOR	650074	NAVY	NORTH VIETNAM	17 OCT 65
MC LEAN JAMES HENRY	SFC	517621095	ARMY	SOUTH VIETNAM	9 FEB 65
MEYER JAMES HAROLD	COL	493367801	AIR FORCE	NORTH VIETNAM	15 APR 68
MORDE VINCENT DUNCAN	COR	610054	NAVY	NORTH VIETNAM	18 MAY 68
MORRE THOMAS	CMS	264403329	AIR FORCE	SOUTH VIETNAM	31 OCT 65
PATTERSON JAMES KELLY	LCOR	669405	NAVY	NORTH VIETNAM	19 MAY 67
PHILLIPS ROBERT PAUL	SFC	017360352	ARMY	SOUTH VIETNAM	23 JUN 70
POWERS TRENT RICHARD	CAPT	409299	NAVY	NORTH VIETNAM	31 OCT 65
PRICE BUNYAN DURANT JR	SP5	242801076	ARMY	CAMBODIA	2 MAY 70
PRIDEMORE DALLAS REESE	SFC	297321006	ARMY	SOUTH VIETNAM	8 SEP 68
PUTNAM CHARLES LANCASTER	CAPT	506413	NAVY	NORTH VIETNAM	9 MAR 67
REILLY EDWARD DANIEL JR	SFC	169349638	ARMY	SOUTH VIETNAM	26 APR 66
ROJO JAMES MILAN	SP5	203333139	ARMY	SOUTH VIETNAM	23 JUN 70
SCHMIDT HALTER ROY JR	CAPT	0101595	MARINE CORPS	SOUTH VIETNAM	9 JUN 68
SHELTON CHARLES ERVIN	MAJ	401584399	AIR FORCE	LAOS	29 APR 65
SMALL BURT CHAUNCEY JR	SFC	256742851	ARMY	SOUTH VIETNAM	6 MAR 67
SMITH MORRIS LEROY	CAPT	521072	NAVY	NORTH VIETNAM	20 MAY 67
SPARKS DONALD LEE	SGT	479627347	ARMY	SOUTH VIETNAM	17 JUN 69
STAMM ERNEST ALBERT	COR	564755	NAVY	NORTH VIETNAM	25 NOV 68
STORZ RONALD EDWARD	LTC	122249360	AIR FORCE	NORTH VIETNAM	28 APR 63

MISSING AND CAPTURED U.S. MILITARY PERSONNEL
ALPHABETICAL NAME LIST

NAME	GRADE	HOSTILE CAPTURED		COUNTRY OF CASUALTY	DATE OF CASUALTY
		SERVICE NO	SERVICE		
SULLIVAN JAMES EDWARD	LCOR	028320405	NAVY	NORTH VIETNAM	29 OCT 72
TEAGUE JAMES ERLAN	LT	703540	NAVY	NORTH VIETNAM	19 NOV 67
TROUP WILLIAM LESLIE	LCOR	673806	NAVY	NORTH VIETNAM	17 APR 66
TUCKER EDWIN BYRON	CDR	960316	NAVY	NORTH VIETNAM	24 APR 67
VESELIUS MILTON JAMES JR	CDR	616589	NAVY	NORTH VIETNAM	21 SEP 67
WILES MARVIN BENJAMIN CHR	LT	523563779	NAVY	NORTH VIETNAM	5 MAY 72
YONAN KENNETH JOSEPH	CAPT	319425630	ARMY	SOUTH VIETNAM	24 APR 72

CASUALTY COUNT 67

[illegible]

[illegible]

MISSING OR CAPTURED.
MEMOR INDICATES THAT THE BODY HAS NOT BEEN RECOVERED.

TABLE A (page 1 of 3)

A, 01 5 SEPTEMBER

LISTED ALPHABETICALLY BY NAME

NAME	RANK	BRANCH OF SERVICE	HOME OF RECORD CITY OR TOWN	STATE	DATE OF CASUALTY	COUNTRY OF CASUALTY	DATE OF BIRTH	CATEGORY OF CASUALTY	BODY STATUS
SHERMAN ROBERT CARL	SGT	MARINES	DANVILLE	IL	08 NOV 1968	S. VIETNAM	14 MAR 1945	HOSTILE, DIED-CAPTURE	BNR
SIJAN LANCE PETER	CAPT	AIR FORCE	MILWAUKEE	WI	22 JAN 1968	S. VIETNAM	16 FEB 1945	HOSTILE, DIED-CAPTURE	BNR
SIMPSON JOSEPH LOUIS	SSGT	ARMY	DENVER	CO	11 OCT 1979	S. VIETNAM	02 SEP 1946	HOSTILE, DIED-CAPTURE	BNR
SMALL BURT CHAUNCEY JR	SSGT	ARMY	ALMA	WA	21 MAY 1967	N. VIETNAM	06 FEB 1926	HOSTILE, DIED-CAPTURE	BNR
SMITH WILLIAM MARK	SGT	ARMY	MIDDLEBORO	MA	30 JUN 1970	S. VIETNAM	02 APR 1949	HOSTILE, DIED-CAPTURE	BNR
SPARKS DONALD LEE	SFC	ARMY	CARROLL	IA	05 NOV 1979	S. VIETNAM	07 NOV 1946	HOSTILE, DIED-CAPTURE	BNR
STAMM ERNEST ALBERT	CDR	NAVY	MEFORD	OR	16 JAN 1969	N. VIETNAM	18 JUL 1931	HOSTILE, DIED-CAPTURE	BNR
STORZ RONALD EDWARD	LTC	AIR FORCE	SOUTH OZONE PARK	NY	23 APR 1970	N. VIETNAM	11 NOV 1942	HOSTILE, DIED-CAPTURE	BNR
SULLIVAN JAMES EDWARD	LCDR	NAVY	HULL	MA	28 JUN 1974	S. VIETNAM	04 JUN 1914	HOSTILE, DIED-CAPTURE	BNR
SYKES DERRI	SSGT	ARMY	CHICAGO	IL	09 JAN 1968	S. VIETNAM	23 JUL 1943	HOSTILE, DIED-CAPTURE	BNR
TADIOS LEONARD HASAYON	LTS	ARMY	LANAI SURG	HA	20 MAR 1979	S. VIETNAM	04 JUN 1914	HOSTILE, DIED-CAPTURE	BNR
TEAGUE JAMES ERIAN	CAPT	ARMY	NEW HARTFORD	NY	10 APR 1971	S. VIETNAM	27 APR 1934	HOSTILE, DIED-CAPTURE	BNR
TENNEY HERMAN P BRADFORD	CAPT	ARMY	FT BRAGG	NC	22 OCT 1964	S. VIETNAM	24 APR 1941	HOSTILE, DIED-CAPTURE	BNR
TROMP WILLIAM LESLIE	LCDR	NAVY	FENNVILLE	MI	24 OCT 1973	N. VIETNAM	01 FEB 1935	HOSTILE, DIED-CAPTURE	BNR
TUCKER EDWIN BYRON	SSGT	ARMY	BALDWINVILLE	MA	11 JUL 1974	S. VIETNAM	28 NOV 1948	HOSTILE, DIED-CAPTURE	BNR
VANBENDEGOM JAMES LEE	CHO	ARMY	KENDOSHA	WI	31 JUL 1967	CAMBODIA	10 SEP 1924	HOSTILE, DIED-CAPTURE	BNR
VARNADO MICHAEL BANARD	CAPT	ARMY	FERRIDAY	VA	01 JUL 1966	S. VIETNAM	02 JUL 1924	HOSTILE, DIED-CAPTURE	BNR
VERSACE HUMBERT ROQUE	CAPT	ARMY	MILFORD	MA	21 SEP 1964	S. VIETNAM	29 SEP 1933	HOSTILE, DIED-CAPTURE	BNR
VESCELIUS MILTOH JAMES JR	MAJ	ARMY	ROSELAND	NC	20 MAY 1967	N. VIETNAM	10 JUN 1939	HOSTILE, DIED-CAPTURE	BNR
WALKER ORLEN JUDSON JR	LCDR	NAVY	ROSELAND	NC	20 MAY 1967	N. VIETNAM	10 JUN 1939	HOSTILE, DIED-CAPTURE	BNR
WALKER ARNOLD BENJAMIN CHR	LCDR	NAVY	SAUL DIEGO	CA	02 AUG 1978	S. VIETNAM	18 JUL 1927	HOSTILE, DIED-CAPTURE	BNR
WILLIAMS RICHARD FRANK	SGT	ARMY	SAN LEANDRO	CA	18 SEP 1968	S. VIETNAM	18 JUL 1947	HOSTILE, DIED-CAPTURE	BNR
YOUNG KENNETH JOSEPH	MAJ	ARMY	CHICAGO	IL	15 AUG 1979	CAMBODIA	17 JAN 1945	HOSTILE, DIED-CAPTURE	BNR
YOUNG ROBERT MILTON	CAPT	ARMY	NEW ALEXANDRIA	PA	17 SEP 1972	S. VIETNAM	16 MAY 1946	HOSTILE, DIED-CAPTURE	BNR
ZANTOCKI JOSEPH STANLEY JR	SSGT	MARINES	UTICA	NY	24 DEC 1969	S. VIETNAM	16 MAY 1946	HOSTILE, DIED-CAPTURE	BNR

OTAL = 113

*FOR PERSONS WHO DIED WHILE MISSING OR CAPTURED, THE DATE OF CASUALTY IS THE DATE DIED OR DECLARED DEAD, NOT THE DATE DECLARED MISSING OR CAPTURED.

*BNR INDICATES THAT THE BODY HAS NOT BEEN RECOVERED.

SOURCE: COMBAT AREA CASUALTY FILE, 1957-1985 (MACHINE-READABLE RECORD), RECORDS OF THE OFFICE OF THE SECRETARY OF DEFENSE, RECORD GROUP 330, NATIONAL ARCHIVES BUILDING.

TABLE A (page 3 of 3)

FROM: USCINCPAC J31

JOINT CASUALTY RESOLUTION CENTER
NAS BARBERS POINT, HAWAII 96882



JCRC
1771
CDD Ser/006
22 January 1992

CSC011 NAME/Vietki/ NAME

From: Commander, Joint Casualty Resolution Center
To: General John W. Vessey, Jr.
Via: Director for Operations, USCINCPAC

Subj: STORED REMAINS - VIETNAM

Encl: (1) Case Matrix
(2) Summary of Case File Data

1. This memorandum provides information obtained during investigation activities of the 119 individuals associated with discrepancy cases and the Central Identification Laboratory, Hawaii's (CILHI) analysis of repatriated remains.

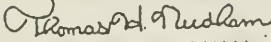
2. Field investigations and research efforts in Vietnam have substantiated reports that the Vietnamese initiated efforts to recover remains and document these remains. Witnesses testified that remains had been turned over to Vietnamese authorities in the 1970s and others reported remains were turned over to Ministry of Defense and province and district authorities as late as 1983.

3. Forensic analysis of returned remains provides further evidence of storage. Forensic experts estimate that 161 (60 percent) of the 270 remains repatriated and identified to date show signs of storage. JCRC studies and analysis of case file data relating to individuals who were repatriated revealed the typical remains storage case was that of a U.S. aircrew member who ejected from his aircraft while over northern Vietnam.

4. JCRC has grouped the discrepancy case list of 119 individuals in three categories; (a) Remains Identified, (b) Cases with Circumstances of Loss Which Suggest Storage, and (c) All Other Cases. In some cases while the circumstances of loss suggest storage, the investigation results indicate the contrary. To date the Central Identification Laboratory has identified 22 remains and 10 of these show signs of storage. Of the remaining, 41 are of the type which suggest storage and 56 are not typical remains storage cases. The subjective process involved in making judgments and the anomalies of remains obviously stored and those that are not so obvious preclude making an estimate on how many more remains might still be stored.

JCRC
1771

5. Enclosure (1) is a case matrix of the 119 individuals and enclosure (2) is a summary by category of the case file data, the investigation results and, where applicable, CILHI forensic analysis of repatriated remains.


THOMAS H. NEEDHAM
Brigadier General, USA

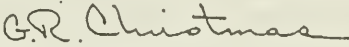
Copy to:
JCS (J5, GEN RYAN)

J3
1771
22 JAN 1992

FIRST ENDORSEMENT

From: Director for Operations, USCINCPAC
To: General John W. Vessey, Jr.

1. Forwarded.


G. R. CHRISTMAS
Major General, USMC

- Lieutenant Tushek reported hearing small arms fire in the vicinity of location shortly after making radio contact later the same night.
- NAME
Lieutenant Tushek was rescued the next day.

Investigation results:

- Fragmentary information suggested that NAME may have been shot by a PAVN unit sent to capture him.
- Team travelled to the alleged crash site but found no wreckage.
- Team was unable to reach the last known location of NAME

(31) Case 1927 (Borah)

Circumstances of loss:

- On 24 September 1972, Lieutenant Borah was shot down over Quang Tri Province.

- One Forward Air Controller observed a fully deployed parachute and another Forward Air Controller monitored a radio broadcast from Lieutenant Borah.

- The parachute landed in some trees and a few minutes after Lieutenant Borah landed the parachute was piled down.

Investigation results:

- A team visited a crash site near the last known location of Lieutenant Borah, but was unable to identify the aircraft type.

- The Vietnamese provided no witnesses to this incident.

(32)

NAME

Circumstances of loss:

- On 6 October 1972 NAME and Lieutenant Latella's aircraft was downed in northern Vietnam by a surface-to-air missile.

- Other members of the flight lost visual contact with the aircraft by after a few minutes established radio contact with Lieutenant Latella who said he was in his parachute and had a broken right arm.

AFFIDAVITFORCE 16, SOUTHERN QUANG BINH PROVINCE, NORTH VIETNAM

In the spring of 1971, following three years of construction, the North Vietnamese had essentially completed a series of secret underground warehouses in the Thach Ban/Long Dai areas of Quang Binh Province, North Vietnam, near the DMZ. The purpose of these facilities was to establish a front line logistic facility to timely support battle operations in Northern South Vietnam and adjacent Laos, particularly for the upcoming 1 April 72 invasion of South Vietnam.

The North Vietnamese Disposition of Forces for the defense of Quang Binh Province and the key pass areas into Laos at Ban Keral and Mu Gia normally consisted of one air defense division and six AAA regiments occasionally augmented by one AAA regiment and one SAM regiment during the Dry Season Operations. The North Vietnamese realized that if the forthcoming invasion of South Vietnam was to be successful, additional air defense forces would have to be deployed to Quang Binh in order to reduce the air strike capabilities of U.S. and Allied forces.

Between the summer of 1971 and early 1972, an additional eight AAA regiments were deployed to Southern Quang Binh. Further, the local area commander, the 367th Division, formed two "Forward Controller Divisions", the 377th and the 673rd. By mid March 72, the 367th Division was ready for the invasion with:

- a) 14 AAA regiments, two forward divisions, Force 16.
- b) Secure underground warehouses fully stocked with the vital war materials to include the newly introduced SA-7 missile.
- c) Secret warehouses in Laos had been completed between the Mu Gia and Ban Keral and filled with supplies and the SA-7 missile.
- d) A complete battle attack plan into South Vietnam had been provided by AAA survey teams which had been conducting secret sorties into South Vietnam since December 1971, and,
- e) A battle force, Force 16, not only capable of providing AAA defenses but ground infantry and artillery as well. Since 1971, units of Force 16 had trained extensively in these tactics. Force 16 represented a double threat, both an air and ground strike capability.

On the evening of 31 March 72, Force 16 was skillfully deployed along the DMZ and in adjacent southern Laos, east of the Sepone areas. On 1 April 72, they began to invade into Quang Tri Province, South Vietnam. Except for the Air Defenses at Hanoi and Haiphong, Force 16 represented the largest, the best equipped and best trained air defense force the North Vietnamese had ever assembled for a military operation. We called it the "AAA Meatgrinder" and it represented a most serious threat to U.S. and allied air operations.

Numerous U.S. aircraft and crews were shot down during tactical operations into this meatgrinder. One such U.S. Pilot was

RE: DANIEL W. BORAH, UNITED STATES NAVY
 MIA - MISSING IN ACTION
 POW - PRISONER OF WAR
 BIA - BETRAYED IN ACTION/BETRAYED IN AMERICA

STATE OF MONTANA)

: SS.

COUNTY OF ROOSEVELT)

My name is Jerry J. Mooney. I currently reside at 324 Edgar Street, Wolf Point, Montana, 59201, I am 51 years old, married with two daughters and five grandchildren. Between 28 April 1957 and 1 June 1977, I served on active duty with the United States Air Force. I retired at the rank of E8, SMSGT. During my military career, I served as an intelligence analyst at various overseas locations in Europe, Africa, the Near East, the Far East and Southeast Asia. I performed three stateside duty assignments with the National Security Agency.

I make the following statement of my own free will and with full understanding it is equivalent to sworn testimony and subject to the penalties of perjury. During the past six years, I have made every legal and/or authorized attempt to bring the MIA/POW situation to the full concern of the U.S. Government. These efforts have failed the record indicates:

a) AFFIDAVITS, titled

1. MIA/POW ISSUE, SMITH VS REAGAN
2. THE THOMAS HART CASE
3. JOSEPH A. MATEJOV, ET.AL. MIA/POWS RESULTING FROM THE VIETNAM CONFLICT
4. WHERE DID ALL THE YOUNG MEN GO, A LONG TIME PASSING
5. CHARLES CAFFARELLI/RONALD STAFFORD, THE KIA
6. THE LEGAL SYSTEM OF THE U.S. VS THE VIETNAM CONFLICT
7. "A MOTHERS TEAR", A NORTH VIETNAMESE MIA/KIA
8. "OUT TO LUNCH", AN EPITAPH TO THE VIETNAM WAR
9. WHAT PRICE A BAG OF RICE
10. THE FILL, THUNDER AND LIGHTNING: THE CREWS, FOG AND MIST
11. CITIZENS OF MICHIGAN, MIA/POWS FROM THE VIETNAM CONFLICT
12. THE TRIGGER END OF POLICY AND POLITICS
13. THE STOCKERIDGE MICHIGAN INCIDENT
14. SONS OF KANSAS, MIA/POWS FROM THE VIETNAM CONFLICT
15. THE SUZIE BRIEFINGS
16. CIR LARRY VAN RENSELAAR, USN, MIA/POW/KIA/BIA

b) The Supreme Court, no jurisdiction. The issue is a matter of policy and military judgement exclusive to the executive branch of government.

c) DIA - First no response, then, informed by concerns were NGB - Not government business.

d) NSA/Justice - No discussion or debate, just an advisory to remain silent.

- e) Senate Veterans Affairs Committee - First, informed I had no business testifying before their hearings since those hearings dealt only with sighting reports. Second, no response to an affidavit forwarded by Senator Biden.
- f) The Judiciary Committee - Informed they held no jurisdiction.
- g) Intelligence Committee - No Response.
- h) MIA/POW Committee - No Response.
- i) Foreign Affairs Committee - Directed to standby as a senate witness. Twenty-One months later, still standing by with no debrief.
- j) From Senators Kennedy, Glenn, Dole, Nunn, Warner, Durenburger, Chben, Hatfield, Hollings, etc, No Response.

Over the years, I have come to the opinion that to pursue the MIA/POW issue - is a journey through the Darkside of our Democracy. In my own battered, bruised and bloodied journey, I have come to the conclusion that we have become a nation wherein its people are the subjects of policy and politics and no longer benefit from rights, liberty, freedom and due process. Further, in practice, it is now probable that the boldest print (for good reason) in the U.S. Constitution, "We the People" now reads "They the Government."

One is often tempted to simply "Give Up" on this issue. But one CAN NOT. Its honest and truthful resolution is too vital to those who have served, now serve and will serve in our military in defense of our freedoms and liberties. Further resolution of the issued is most important to DANIEL BORAH AND HIS FAMILY.

On 24 September 1972, Daniel Borah, aboard an A7H aircraft was engaged in a tactical mission over Quang Tri Province, South Vietnam. He was fired upon by probable elements of the 284th AAA Regiment, (analytically one of the enemies top 10 AAA regiments), with the aircraft hit and damaged. With his aircraft no longer airworthy, Borah successfully ejected and landed safely on the ground. He was captured alive and came under the immediate command and control of the 377th/673d division operating in the general Khe Sanh area. Its tactical instruction at the time of the incident were to capture pilots alive. These two divisions, Force 16, did execute captured prisoners during its operations in the Quang Tri. However, that practice was not in effect at the time of Borah's capture. He was taken alive and as a matter of tactical operations, was transported across the DMZ north to known holding facilities in the general Ron Ron area of Quang Binh Province. At this location, he came under the direct command and control of the 367th Division. It was at this location, the Ron Ron area, that Borah's fate was decided.

a) He would be transported North to Hanoi to be held for return. At the time, North Vietnam's leaders knew of our high concern for POW's and it was important to them to "jack-up" the POW returnees to appease the State Department, secure a peace treaty, and accomplish our withdrawal from the war.

b) Force 16 and other enemy forces, were currently bogged down in the Quang Tri Province. They were active consolidating their forces and re-supplying thus requiring a major logistics effort. Thus, it was probable, Borah, if in good health and physically fit, would be diverted to labor at the Thach Ban/Long Dai facilities. Simply put, that immediate tactical need would take precedence over the political agenda to jack up POWs for return.

Daniel Borah was not returned at Homecoming I. Therefore, it was concluded he had been diverted to the logistic effort and would not be returned until our full withdrawal from the war due to North Vietnam's National Security requirements. And then, release would only be accomplished via Pardon and Parole.

THUS

A) DANIEL BORAH, MISSING IN ACTION

At the precise minute that Daniel Borah was shotdown and was lost to U.S. command and control, he became an MIA. No debate.

B) DANIEL BORAH, PRISONER OF WAR

The intelligence data, coupled with operational information, clearly revealed he was captured alive and was in North Vietnamese control. It also revealed exactly which units held him, his initial disposition and solid estimates to his final disposition. Up until Homecoming I, there really was no debate or conflict on this information. However, following Homecoming I, it is now apparent that all solid intelligence gathered during the war was now cast aside in favor of a new U.S. position. The whole issue was left to resolution via sighting reports. The intelligence book, so detailed during the war, was now slammed shut!

C) DANIEL BORAH, BETRAYED IN ACTION/BETRAYED IN AMERICA

In a democracy where liberty, freedom and human rights are the cornerstones of our nation, there will be occasions when its citizens will be called upon to fight for and defend these values. Our forefathers, in their wisdom, recognized this fact. Further, they constitutionally authorized government the power, and authority, to exercise that terrible responsibility to risk its citizens in warfare. In turn, we the citizens were given the right, to demand from government, its awesome accountability not to waste us. Thus warfare, must be clearly defined in the "national interest" and clearly defined within the moral, principle and legal concepts of the U.S. Constitution. Daniel Borah, as well as all those who served in Vietnam, went to war LAW this concept. The President, as commander-in-Chief, ordered them to war and Congress LAW the Gulf of Tonkin Resolution, in essence made the action legal and proper.

The government demanded from Daniel Borsh, honor, duty, dedication, obedience, loyalty and professionalism during his combat tour in Vietnam. He gave all those to the government including his faith he would never be abandoned.

From government, Daniel Borsh, expected leadership, legality for his actions and a commitment to his rights, not just as a servicemen, but as a citizen, He was betrayed:

When a nation goes to war, not to win, but to contain an enemy, that was, is, immoral. It becomes a field day for the death stalker. Such was Vietnam. a no win war. Considering our military power at the time, it could have been won easily thus greatly reducing the death and destruction that occurred over its 10 year period. Daniel Borsh went to war, like so many others, with all the "can do" tools and training to win quickly and decisively. Once there and in combat, he was confronted with a leadership "don't do" list called the "Rules of Engagement." Simply put, a great advantage was given to the enemy, one which they recognized and used, and our fighting forces with all their power and talent limited in their effort. This was a betrayal in leadership, prolonged the war, prevented victory and caused needless destruction and the deaths of U.S. personnel.

Adding to the betrayal, was the Gulf Of Tonkin Resolution based on the Gulf of Tonkin incident. This resolution authorized Daniel Borsh to legally engage in combat missions and conduct war in Southeast Asia. However, that resolution was based on deception, a lie, thus invalidating it to the enemy. Thus, in the enemy's eyes, when he was captured, he was not recognized as a POW with all the entitlements of the Geneva Convention, but as a Pilot Bandit Pirate War Criminal subject to a mercy and justice as they defined it.

And the betrayal continues to this day. He remains abandoned to the enemy and ignored and debunked by his government.

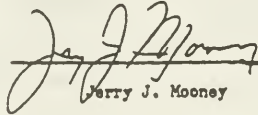
Recently, photographs of Daniel Borsh, confirmed by family members, have been made public. After all these years, Daniel Borsh alive! Not dead as declared by our government in various Presidential, Congressional Commissions/Investigations, and in the many many statements by government leaders. He survived the military might of Force 16, the harsh labor of logistic support, slave labor, the abandonment, and the stupid, and possible collaborated statements of his government that he is dead. The question today is: Will he survive to Come Home? Our government has promised that if it is proven men were left behind, and still alive, they will come home. But will they, can they? The cornerstone of U.S. Foreign Policy regarding Americans held by other nations is: We Will Not deal for hostages. This policy has held firm in Lebanon, will it also apply to Southeast Asia and those POWs we left behind so many long years ago. If so, despite all the evidence Daniel Borsh is alive, he still may be doomed.

Therefore, the only viable solution is the realistic pardon and parole process wherein the Vietnamese would cooperate and save face. This is not a new proposal, it was recommended at the Mulkowski hearings in Late Jan 86 and has been often referred to in other affidavits. Of course such action could mean

choosing between the life and freedom of Daniel Borsah and others still held and alive, or, the careers of many high ranking government officials, past and present. That decision is up to the American people. My personal decision is simple: Bring Daniel Borsah and the others home to their freedom and families. As for the Policy makers and Political shakers responsible for this situation: Well, A Marine Gunnery Sgt, a veteran of Vietnam, put it at its blunt best:

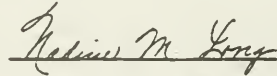
"Grab them by the balls, drag them down the balls and whomp them up along side the Head!"

DATED this 26th day of July, 1991.



 Jerry J. Mooney

SUBSCRIBED AND SWORN to before me this 26th day of July, 1991.



NOTARY PUBLIC for the State of Montana
 Residing at Wolf Point, Montana

My Commission expires: July 12, 1993

Report on the Investigation of Two Photographs
as to Possible Physical Differences in
Two Subjects

Christopher R. Harris
Assistant Professor, Photojournalism
Director, Still Digital Imaging Lab
Department of Radio-Television/Photography
Middle Tennessee State University
Murfreesboro, TN

The Charge of this Investigation

The charge of this investigation was to try to determine whether two similar appearing subjects shown in two photographs were the same individual.

Veracity of the images and/or identification of the individual in question was not part of the research charge.

At no time was the investigation of these images based on a positive conclusion being the ultimate goal. Rather, this analysis was based on being an unbiased study of the facts at hand.

Method of Original Photograph Selection

Two groups of photographs were originally brought to the attention of this investigator. From these two groups single photographs were selected on the basis of similarity of angle of view of the subject and lighting conditions. While the angle (frontal) and the lighting conditions (dappled sun in one and bright overcast in the other) were as similar as could be obtained from these two groups, they were not controlled, duplicate conditions. These single photographs are identified for future reference as Control Group #1-A, and Group #3-A.

Method of Computer Digitization and Subsequent Enhancement

Using an Apple One-Scanner flat-bed scanner the two images in question were scanned separately and entered into a Macintosh IIfx computer. Upon conversion of the image into digital form, by use of Ofoto v 1.0 scanning software, the image was saved as a working file.

At this point Adobe PhotoShop software was utilized to digitally sharpen both of the base images. This software was also used in enlarging the base imagery to the sample sizes used in the final examples. At no time was this program used to digitally manipulate the images from their original visual representative qualities. PhotoShop v 2.1 was used as an enhancement tool only.

When this enhancement technique was finished the two images were imported into Aldus PageMaker v 4.2 for layout into the visual examples attached (labeled as pages 1 thru 8).

The Examples (Pages 1-8)

Example 1—Shows the image labeled Control Group #1-A at 100%, original size 3.5 x 5 in..

Example 2—Shows the whole image enlarged 200%, 5 x 7 in.

Example 3—Shows a 6 x 6 in. image. This is a 799% enlargement of a cropped portion of the original image as shown in Example 1.

Example 4—Shows the same image as in Example 3, with the addition of specific areas in question.

Example 5—Shows the image labeled Group #3-A at 100%, original size 5 x 7 in.

Example 6—Shows a 4.5 x 4.5 in. image. This is a 240% enlargement of a cropped portion of the original image as shown in Example 5.

Example 7—Shows the same image as in Example 6, with the addition of specific areas in question.

Example 8—Shows a composite image. Both of the photographs are cropped sections made to appear approximately the same size. They are enlarged to different percentages.

A Directory of the Indicators for Examples 4 and 7

In comparing Examples 4 and 7 it must be pointed out that the example prints are to be used for reference only. Analysis of the images is best done by viewing the images on a large, high resolution screen. During the inquiry the images were viewed for analysis on a Super Mac 19 in. screen with a resolution of 1024 x 768 pixels per inch. The transparent quality of a photographic image shown on this high-resolution screen allows for a careful analysis of shadow detail that is not possible to see in these print examples. Computerized files are available on disk if required.

Example 4 shows a 6 x 6 in. cropped section of image Control Group #1-A, with indicators marked A thru E.

Indicator A shows the closest portion of the iris to the nose on the left side of the photograph. Indicator B shows the closest portion of iris to nose on right of photograph. Indicator C shows the nose, with particular attention paid to its broad shape and bulbous tip. Indicator D indicates the area between eyebrows and the top of the nose. Reference is made to the lack of deep vertical lines and horizontal furrow at the bridge of the nose as compared to Example 7. Indicator E shows the position of a mole at the lower left of the left eye in the photograph.

Example 7 shows a 4.5 x 4.5 in. cropped section of image Group #3-A, with indicators marked A thru E.

Indicator A shows the closest portion of the iris to the nose on the left side of the photograph. Indicator B shows the closest portion of the iris to the nose on the right side of the photograph. Indicator C indicates the nose, and refers to the less broad shape as compared to the same indication in Example 4 of Control Group #1-A. Indicator D shows the area between the eyebrows and the top of the nose. Attention is brought to the deep vertical lines and two deep horizontal furrows at the bridge of the nose. Indicator E shows the position of the mole at the lower left of the left eye in the photograph.

An Examination of the Indicators for Examples 4 and 7

Indicator A and B in Examples 4 and 7 appear to indicate that the mouth width is similar in both individuals. Lines were drawn from the closest part of the iris of both eyes at a straight 90 degree angle to the bottom of the face.

Although the cropped faces in these photographs are at slightly different angles I feel that this is of no significant consequence in judging the width of the mouth.

Indicator C refers to the bottom portion of the nose , including the tip, in both photographs. There is a significant difference in the shape of the nose between Example 4 and Example 7. Example 4 appears to have a more bulbous, flat nose than in Example 7. The nose in Example 7 appears to be sharper at the tip and not quite as broad. Additionally, as shown by Indicator D Example 7 clearly shows two, closely spaced, deep, vertical lines at the area between, and slightly above the eyes. These lines are not evident in Example 4. Likewise Example 7 indicates two, deep, horizontal furrows at the bridge of the nose, which are not evident in Example 4. Less clearly shown , and not indicated, but worth noting, is the fact that in Example 4 there appears to be a set of three horizontal crease lines in the forehead, as opposed to only two in Example 7.

Indicator E shows the position of a prominent mole near the left eye on the face of both subjects. In Example 4 the mole appears to be further to the left of the eye, and slightly lower, than it does in Example 7. This difference may be due to a minor angle change in the two subject photographs, but it is worth noting.

Conclusion of this Investigation

Due to the discrepancies as outlined above, along with other observations relating to the physical appearance as shown in the two photographs, I must conclude that based on these two images the subjects do appear to be two different individuals. They are not the same individual in my opinion.

Both individuals are similar in basic appearances, however upon concentrated examination it becomes obvious that the similarity is just that: a similarity.

Control Group #1-A-1

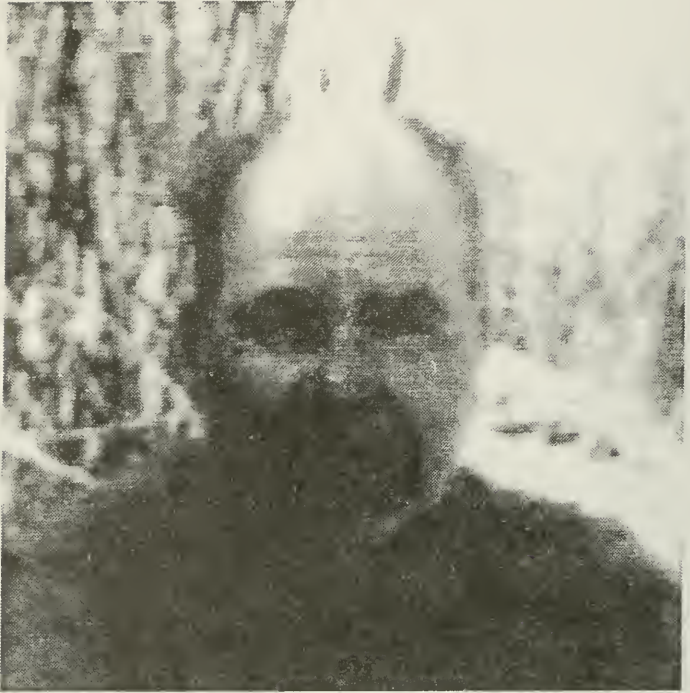


COMBAT GROUP #1111

4-1-A-2



Control Group #1-A-3



Control Group #1-A

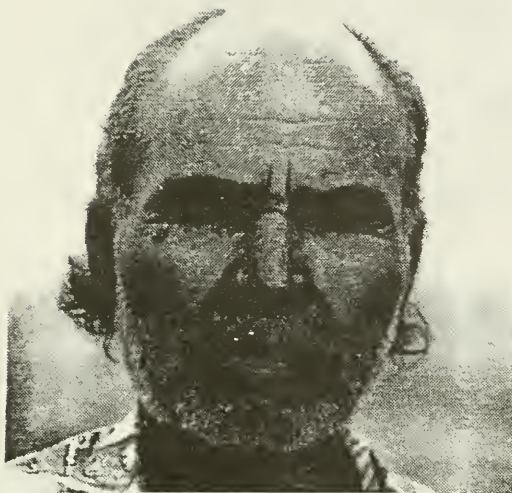


- A. Closest portion of iris to nose on left of photograph.
- B. Closest portion of iris to nose on right of photograph.
- C. Nose . Notice broad shape with bulbous tip.
- D. Area between eyebrows and top of nose. Notice absence of deep vertical lines, and of horizontal furrow at bridge of nose.
- E. Mole at lower left of left eye in photograph.

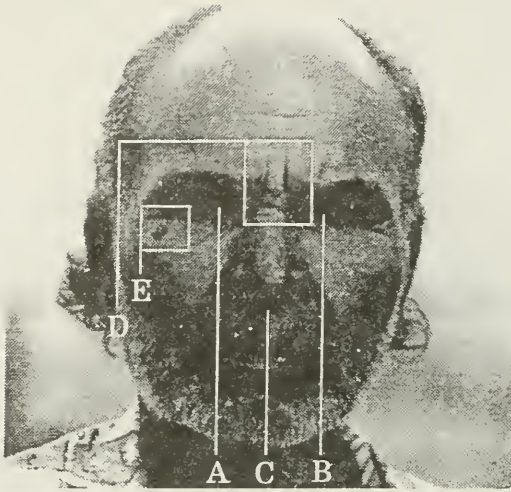
Group # 3-A



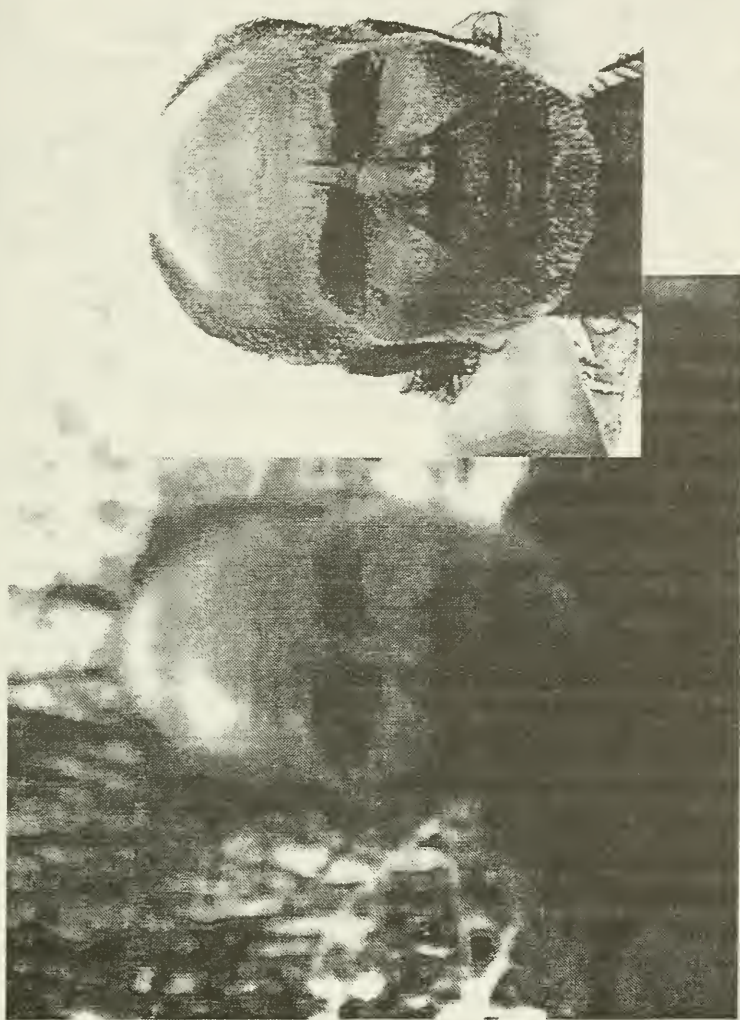
Group #3-A



Group #3-A



- A. Closest portion of iris to nose on left of photograph.
- B. Closest portion of iris to nose on right of photograph.
- C. Nose. Notice less broad shape as compared to Control Group #1-A
- D. Areas between eyebrows and top of nose. Notice close, deep vertical lines and two deep horizontal furrows at bridge of nose.
- E. Mole at lower left of left eye in photograph.



Composite Photograph

Mr. DORNAN. Kathy, that is quite a statement. And backed up by copious documentation, saving this committee a lot of work and making it easier to present your case to General Wold.

Interesting thing that you quote from Jeremiah, since Jeremiah Denton, another one of the most heroic prisoners and one of the Alcatraz heroic 11, has been a U.S. Senator from Alabama for 6 years, he always felt that the men in Hanoi did not know everything, that they thought they did when they first came home, certainly not about Laos, and certainly not about the cases that went down in 1971 and 1972, where the Vietnamese and the Russian governments, funding 95 percent of the war, were fascinated with our newest aircraft, the F-111, which we will hear about in the A-7E, which was fairly new during the end of the war periods. Not supersonic but carrying a load bigger than any other aircraft of its size that would come off a carrier. It is an excellent statement.

Again, to General Wold, who is still with us, this is why we gave you the analysis from the comprehensive review, because we knew you were working on your brother's case. Obviously any fighting man or fighting woman today would want you as their sister if they disappeared into the land of the enemy. Thank you for your statement.

Now, while I had a chance to look at in a very quick way, because of the icy roads I got home at 2 o'clock, and I guess there is no more voting tonight, right? All right. I was going to do an hour special order on Bosnia tonight, but it is important that we press ahead and finish here tonight with comprehensive hearings, our vice chairman is being a good trooper on this.

Mr. DORNAN. Let me go to David Morrissey. Excuse me. Yes, David Morrissey, son of Maj. Robert Morrissey, who was a pilot of what was then at that time a beautiful and exotic aircraft, the F-111. Very controversial at its birth, a Lyndon Johnson project that had won three times a contract to go to Boeing. President Johnson, using his Presidential power, kept forcing the aircraft back to General Dynamics of Texas. It was supposed to be both a Navy and an Air Force fighter. The Navy rejected because it was too heavy. By the time all the dust settled, the F-111 was the world's greatest light bomber. And the world's best interdiction aircraft. So good that the Russians, through some treachery, captured all the designs and completely duplicated it in the Sukhoi 24 Fencer.

I have before me, Mr. Morrissey. This report that you have included with your statement, was written by your dad's copilot.

Mr. MORRISSEY. Pilot.

Mr. DORNAN. Pilot. Oh, that was reversed here, your dad was the copilot.

Mr. MORRISSEY. My dad was the weapons systems officer.

Mr. DORNAN. OK. The whizzo sitting side-by-side. I have two familiarization flights, one of them in Lakenheath, England, and it was quite an experience going up to Scotland's gunnery ranges. But the son of the pilot, the pilot was Maj. Robert Brown, and his son, Bruce, who I guess is a friend of yours over the years now, wrote this unbelievably comprehensive report that I hope soon I will be able to read every word of, because he did so much background research on the heroes of my youth, the F-86 saber jet pilots of the Korean dogfighting over the Big Alley, Yalu River area, and within

2 years after that war, I was an F-86 pilot and thought that I had died and gone to heaven when I checked out in that aircraft. So if you would proceed with your written statement, then I will ask you some questions about Bruce Brown's extensive report on your father and his own father.

**TESTIMONY OF ROBERT DAVID MORRISSEY, JR., SON OF LT.
COL. ROBERT D. MORRISSEY**

Mr. MORRISSEY. I am Robert David Morrissey, Jr., son of Lt. Col. Robert D. Morrissey. My father was a career officer in the U.S. Air Force when he went to Vietnam for the third and last time. It was September, 1972. I was 17 years old and a senior in high school. Today I am a 20-year firefighter with the Phoenix, AZ, fire department, and am almost as old as my dad when I saw him last. I have two sons, Matthew, 10, and Sean, just turned 8, and they know their grandfather only as a name etched on a wall they saw once.

I want first to thank the subcommittee for the honor of appearing here today to once again speak my father's name before the Nation he loved and loyally served for over 20 years, perhaps many more.

I was asked here today to make some observations about the comprehensive review and share my family's perspective about what it represents. My initial impression of the review is that it is clearly not comprehensive. It is not large in scope, or content. It does not allow one to easily understand all the data concerning the loss of my father. This review contains very few details and draws no concrete conclusions. In fact, it is remarkably inconclusive.

The review fails to make it clear why in September 1978 the U.S. Government made a presumptive finding of death based solely on the fact that, quote, "no information," end quote, existed that showed my dad to be alive. The burden of proving my dad was alive was placed on my mother, Billie Ann Morrissey. The review does not mention when and in what fashion we negotiated for information from the Vietnamese. It cites statements without attribution or quote and refers to analysis that is not explained or supported. No map is included to clarify the coordinates in the review. And is this all there is to show for negotiation, diplomacy, treaty, Defense Department investigation and congressional inquiry?

Mr. DORNAN. David, would you pause for just 1 second? I am going to go in the anteroom for just a second. There are five interns that want their photographs taken with me, bless their hearts, and I am going to do it in less than 5 minutes, I think. I am going to hand the gavel to my Vice Chairman. I am going to take your statement with me and keep reading it as you go along and smile quickly with these five bright young interns. I will be right back.

Mr. MORRISSEY. What this review is, basically, is three stories and three pages of that is my story and I am sticking to it.

On November 7, 1972, Lt. Col. Robert M. Brown and my father were crewmembers aboard an F-111 attack bomber on a solo mission. The crew, flying aircraft serial No. 67063, made their last scheduled radio contact 5 minutes prior to the arrival in the target area. The target was the Luat Son Highway ferry complex. Search and rescue efforts began 40 minutes after radio contact with the

aircraft failed to be reestablished and those efforts were unable to locate either the missing aircraft or the crew.

On November 7, 8, and 10, 1972, the Hanoi Domestic Radio Service announced the November 7 downing of an F-111 aircraft. On November 11, the North Vietnamese party newspaper, *Quan Doi Nhan Dan*, reported the destruction of an F-111 jet. There were no other aircraft losses on November 7, 1972. Other information received during the time indicates North Vietnamese army units in Quang Binh and Nghe An Province cooperated to shoot down an F-111 aircraft on November 7, and a few days later worked together to transport the hulk of the plane from its crash site to another location. This last bit of information undoubtedly came from U.S. intelligence assets, probably the NSA, and is referred to in the comprehensive review.

Retired Senior M. Sgt. Jerry Mooney was an intelligence analyst with the National Security Agency, engaged in signals intelligence surveillance. He swears that he saw data that indicated my father made it to the ground alive and was captured.

The Senate Select Committee on POW/MIA Affairs had this to say about Sergeant Mooney: The committee was fortunate to have Senior M. Sgt. Jerry L. Mooney, USAF Retired, come forward and provide important insight into the problems associated with analyzing SIGINT information concerning POW's and MIA's. He has had a long association with the issue, both while assigned to the National Security Agency and also following his retirement from the Air Force. In closed and open committee session, he gave an analyst's viewpoint which helped to bring into focus many of the problems associated with SIGINT's relationship to the POW/MIA issue.

Mooney stated that while assigned to the Vietnam branch of NSA, he maintained detailed files concerning losses of U.S. aircraft and the names of downed crewmembers. He did this through personal interest and because he was assigned the task by his superiors. His efforts were well-known by his colleagues and supervisors. In the words of one supervisor, if you wanted to know about POW/MIA, or AAA, you wanted Jerry Mooney. He was the gatherer of information.

The Senate Select Committee's report also said of Mooney's disclosure about downed airmen and more specifically my father, hundreds of thousands of hard copy documents, memoranda, raw reports, operational messages and possibly tapes from both the war-time and post-war periods, remain unreviewed in various archives and storage facilities.

Most troubling, NSA failed to locate for investigators any war-time analyst files related specifically to tracking POW's, despite the fact that tracking POW's was a known priority at the time. That failure made it impossible for the committee to confirm some information on downed pilots that was provided by NSA employee Jerry Mooney.

Clearly, our side knew that dad's plane was down in North Vietnam. It was published in their newspaper and announced repeatedly on their civilian radio. North Vietnamese military radio traffic was intercepted regarding the ongoing salvage operations at the crash site. But my family was told that my father had probably flown into a mountain side in Laos during bad weather, and was

missing and assumed to be dead. For more than 10 years the official country of loss was Laos. Why were we misled from the very beginning? Why this deception by my own Government?

Department of Defense POW/MIA investigators found in the Quang Binh Provincial Museum a photograph of an F-111 handbook and Maj. Robert M. Brown's military identification card. I brought those photos along. These items bear no evidence of fire or water damage, and are not stained with blood or hydraulic fluid. Later it was revealed that the data plate from my father's aircraft was also in the museum, again bearing no evidence of fire damage.

Within hours of the shoot down, local militia and later PAVN troops were on the scene at the crash site. They recovered, quote, the hulk, end quote, of an aircraft so large that it required the use of a special truck, not bits and pieces. They collected maps and handbooks, and not charred fragments or ashes. Mooney says they captured alive the crew, and even if injuries from the crash or their capture resulted in their death, there would be identifiable remains.

The F-111 was called "whispering death" by the North Vietnamese in their propaganda broadcast and was the most sophisticated aircraft deployed in Southeast Asia. The swing wing design, terrain following radar, advanced navigational and bomb systems, and early generations of smart bombs represented just some of the advanced technologies the aircraft possessed. The aircraft, once downed, would be an intelligence windfall and the crews, if captured alive, were ripe for exploitation. The sophistication of the aircraft demanded that the crews operating the F-111 be some of the best the Air Force had to offer. My father had been an intelligence staff officer in the early 1960's, as well as navigator/bombardier on nuclear capable B-47's. Lieutenant Colonel Brown had experience in both the Mercury and Gemini space programs as an engineer, and tested the U.S. antiballistic missile as a project scientist.

The high level of Soviet interest in the F-111 is confirmed by the presence of a Vietnam era F-111 crew module in the Moscow Aviation Museum in Russia. Undeniably, the transfer of hardware from Vietnam to the U.S.S.R. took place.

There were only eight F-111 combat losses. From these aircraft, two live men returned, and two sets of remains have been repatriated. That 75 percent loss rate is exceedingly high, especially in view of the maximum escape capability of the F-111 crew module.

To place the issue of transfers in historical perspective, it is enlightening to look at the Korean war era F-86 losses. During the Korean war, the newly introduced F-86 Sabre Jet was the only combat aircraft with a practical radar gun sight. To obtain this technology, Soviet intelligence teams in Korea were tasked to seize, capture any F-86 pilots, and transfer them to the Soviet Union. These pilots were interrogated for technology insight by MGB, the KGB forerunner, and GRU and then turned over to Sukhoi and MIG aviation design bureaus. The Soviets had a well-organized collection program that transferred large quantities of American hardware, including an almost intact F-86.

As stated in a DPMO study, "The Transfer of United States. Korean war POW's to the Soviet Union, the Soviets transferred several hundred United States Korean war POW's to the U.S.S.R. and

did not repatriate them. This transfer was mainly politically motivated with the intent of holding them as political hostages, subjects for intelligence exploitation and skilled labor within the camp system.

Czechoslovakian Maj. Gen. Jan Sejna said, in deposition to the Senate Select Committee, that he had personal knowledge that as many as 90 American POW's were transferred to the Soviet Union via Prague in the mid-1960's.

Former KGB Gen. Oleg Kalugin revealed in testimony to the Senate Select Committee that Soviet intelligence officers had interrogated American POW's in Vietnam years after all were said to be released during Operation Homecoming.

Mr. DORNAN. David, catch your breath for 1 second. There were more interns out there than I had bargained for, about eight, and so I gave up trying to read ahead. You continue with this. I know you, as Kathy and Carol, have really worked hard on these statements, I can feel it. So I am going to go back and try to speed read and catch up with you. And what I miss, I promise you, I will go over carefully tonight.

Mr. MORRISSEY. You missed the part about the F-86.

Mr. DORNAN. I was skipping ahead a little bit on that, and also into your dad's pilot's son. So I will find out where you are in your testimony, and go back and go back and forth to catch up with you.

Mr. MORRISSEY. President Boris Yeltsin himself told the Senate Select Committee that his government had unearthed documents indicating several U.S. citizens taken prisoner during the Vietnam war had been held in the U.S.S.R.

It is counterintuitive to believe that the large Soviet military assistance program in Indochina during the war, which is now known to have included an active KGB and GRU military intelligence component, was not tasked by Moscow to obtain technical information on American weapons and tactics. This tasking would have focused on new aircraft and weapons that were sometimes deployed to the Vietnam war theater before arriving in frontline NATO units arrayed against Warsaw Pact forces in Europe. For Soviet military intelligence officers in Indochina not to have exploited the information bonanza that American POW's represented would have been tantamount to a dereliction of duty.

This case was first passed to the Vietnamese during a technical meeting in Hanoi in 1986, and again on June 8, 1988, and most recently, on August 6, 1988. What has been the Vietnamese response? In this new era of superb cooperation why are there no new details available? I would ask you, Congressman Dornan, what firm conclusions can you draw from the excerpts of this case review?

July 1991: Investigation in Phu Thuy Village. No details in report. Simply a statement saying there is a possible correlation to 1945, that is my father's case, and that the body of the pilot may have been retrieved by officials.

A year later, July 1992, same two witnesses interviewed as in 1991. Went to crash site and recovered wreckage. Part of wreckage was recovered in the village and was alleged to have come from the crash site. The field report says that the wreckage recovered is consistent with an F-111, and he gives a site identifier that I don't

know what that means anyway. No trace of remains. No indication that the crew ejected. Some of the items recovered were said to be probably crew related. I mean, they use a lot of qualifiers, probably, might be. Final analysis indicated that the crew capsule did not separate from the aircraft prior to impact. The site was recommended for recovery.

Well, what is that final analysis? I've never seen it. I don't know how they can tell me with a straight face that the module was on the air frame at the time of impact. And the stuff that they give me, the handbooks, Brown's ID card, the data plate off the aircraft, even maps, don't show any evidence of crash at all. I mean, for 20 years old, they were in pretty good shape.

August 1993: Surveyed crash site and recovered portion of a burned anti-G suit. Report confirms that this is an F-111 site. This is later questioned. A January 1994 message says that some items found in August 1993 were misidentified and are insufficient to correlate to 1945. Twenty-nine other aircraft were lost within 15 kilometers. I certainly don't have anything firm yet there. The site is surveyed and excavation is recommended. Well, now I wonder which of the 29 sites are they referring to.

In April, May 1995: Jointly excavated a crash site near Phu Thuy Village, Le Thuy District, Quang Binh Province. Then he gives another grid coordinate. Excavation yielded aircraft wreckage, life-support equipment, personal effects, and two bone fragments. The aircraft wreckage the team recovered is consistent with but not exclusive to an F-111 aircraft. Due to the inherent design of the aircraft crew module system, where both crew members would eject together in a capsule, material evidence we recovered indicate that both individuals were in the aircraft at the time of impact.

What material evidence is that?

Then later in the further pursuit narrative they say, need to determine if wreckage received from the villagers that matched an F-111 came from the site surveyed or from other site.

What can be more inconclusive than this statement in they are still not sure if they have the crash site? They ignore incontrovertible evidence that Peoples Army of Vietnam troops salvaged the site, and after all significant military material was covered, villagers salvaged the site for more than 20 years before any U.S. investigators made it to the area. Yet they cling to their original notion that the capsule was on the air frame at the time of impact, obliterating the crew. They ignore the photos that they provide us that suggest there was no fire and there was much to recover from the crash. They disregard witness statements that bodies were recovered by "officials."

Now the further pursuit narrative: Need to learn from CILHI whether two bone fragments recovered in May 1995 are identifiable.

This is an interesting contrast. The crew module in the Moscow Aviation Museum was discovered prior to my trip here to DC to address the Senate Select Committee in December 1992. While I was here, I spoke to many investigators and DPMO analysts. I had a long conversation with one individual about transfers of men and material to the U.S.S.R. This man looked me in the eye and in-

sisted that hardware was probably not transferred, and people were definitely not transferred. It wasn't until a few weeks later when I was home that knowledge of the crew module reached me for the first time, again through unofficial channels. At the time there was a 50-50 chance that the capsule related specifically to my father. Not only were we not informed by this fact by anyone from DPMO, but the individual that I was speaking to went to great lengths to establish himself as an expert and mischaracterized history while sitting on the news of an astounding find.

Mr. DORNAN. Excuse me, David. Have you ever been able to determine if he knew that that capsule had been identified in the Russian Aviation Museum?

Mr. MORRISSEY. This is the guy that introduced himself to me as someone that was very familiar with my father's case, as part of what he did there at DPMO.

Mr. DORNAN. But he might not have known about it.

Mr. MORRISSEY. He might not have known. But if he is an analyst that is working on my father's case and representing himself to me as an historian that is familiar with the possibility of transfers, I assume he should know. But it is possible he didn't know.

Mr. DORNAN. Well, we will—

Mr. MORRISSEY. Somebody in DPMO knew.

Mr. DORNAN. Do you have his name?

Mr. MORRISSEY. No; I don't recall his name.

Mr. DORNAN. Right. There is no doubt in my mind that the Vietnamese were obsessed with this aircraft, and so were the Russians. Because it was an interdiction aircraft, carried nuclear weapons.

Mr. MORRISSEY. That is correct.

Mr. DORNAN. I don't know if by that time—yes, Robert McNamara, aforementioned war criminal, killed the B-58 Hustler program, which your dad being a B-47 pilot might have ended up in. The minute he killed the program, the SAC commander went, we are not supersonic any more. They only had B-52's. B-47's were gone, and the B-58, the Mach II Hustler, had four engines of which two were in the Phantom and one in the F-104 Star Fighter, all Mach II aircraft.

So they said, we have to correct this. So they took two wings up in New England, because there was a short legged airplane compared to a B-52, and put a "B" in between the F-111 designation, and they were "A" models, FB-111As, and SAC was back supersonic with two wings, "Ps," and somewhere in New Hampshire, Port Smith, NH area—and these planes, the Soviets then knew, were going to bring nuclear weapons into the Soviet Union in case of an all-out war. That on its face constitutes obsession with this aircraft in Vietnam.

So I can't believe anybody would tell you that they wouldn't have wanted to take one of the escape capsules or every piece they could get, as they have done with F-86's in Korea, and load them on the trains that brought the weaponry and the ammunition to North Vietnam through China, and send them back to Moscow, which in fact is exactly what they did.

So I am going to give the analyst just the benefit of the doubt that he would have blatantly not told you that if he had that infor-

mation. Particularly when if they had that information, given that there were, what, eight planes lost, only two men came back, and those two men were eventually identified and they concurred in this, I think, with that capsule, that that was their aircraft capsule they survived in.

Mr. MORRISSEY. I don't know if that is the case for sure or not. When I was talking to one of the two men, he suggested that there was a lot of damage on one side of the capsule. In fact, they both exited from the same side. And the last he saw the capsule, there was a lot of damage. I haven't been able to get anyone to tell me whether or not the capsule that is on display in Moscow has the damage that the pilot told me about. Because of the questions about the capsule in Russia, DPMO sent an FBI team over there to identify it.

Mr. DORNAN. Well, you know——

Mr. MORRISSEY. And they concurred with DPMO analysis that it was the—I don't know if I can mention names or not, but it belonged to the losses where the two men did return. But it is difficult for me to accept their analysis on face value any more. I mean, we have been lied to and misled so often.

Mr. DORNAN. There is another problem here, help me with your memory, because I haven't looked at this in years. This is now raw memory from the time. I recall that McNamara, to get his aircraft, the once maligned TFX, into the Vietnam war, because this was the first aircraft conceived on his watch, everything else came to him from other people, and because of him we were using Navy aircraft, the F-4 and the A-7 eventually in the Air Force, because the Air Force was left with nothing during that period. He had stopped so many programs. Felt he was a genius. And as the gentleman, Halberstam who conceived the expression best and the brightest, told me in a radio show, unusual allies, one of the things that everybody assumes is McNamara is highly intelligent. And David Halberstam, Pulitzer Prize winner, says, I maintain, I, David Halberstam, that that is the first mistake, he is not highly intelligent, he is overrated. And that has occurred to me during the last few months when he has done these obscenely hurtful things to Vietnam veterans, that only a person with idiot blocks in his mind could possibly do as an old man to try and resurrect his image over the intense pain of the 58,000 people that he got killed through his arrogance. Sixteen or seventeen died under Nixon, but he had set the pattern. And Nixon didn't have the guts to do what was right in 1969, his first year, and waited until he had his second term locked in and God took that away from him because of those men that died while he pursued his political ego trip. So now here is what I recall, that McNamara took six of these F-111A's and sent them over early——

Mr. MORRISSEY. 1968.

Mr. DORNAN. OK. I have a recollection of the Golden BB line, that the infantry would fire in the air and one of these expensive twin engines—the Navy still flies F-14A's with the same Pratt and Whitney TF-30 engine. That a Golden BB took down one of these airplanes and that they lost two or three——

Mr. MORRISSEY. Two.

Mr. DORNAN. Two, so quickly, that they ended the program, right?

Mr. MORRISSEY. Well, they brought them back. Took them out of combat. In fact, that sparked a congressional inquiry.

Mr. DORNAN. Again, the controversy surrounding the TFX, F-111.

So then 1969 goes by, 1970. McNamara resigned on leap year day, 1968, wiped the blood off his hands, only has to remember it every 4 years, and left the battlefield, the bloodiest month of the war, our hospitals jammed up and down all four areas of Vietnam with double amputees, single amputees, triple amputees, blind people, and he went for a month to Aspen to ski and then took a side trip for a week in the Caribbean, all the disgusting story that General Wold may not know and some of the analysts may have not know, set up his salary, quarter of a million a year, tax free, equivalent to \$900,000 tax free, war criminal McNamara, spends 11 years there telling the news media, don't you dare question me the way Cronkite questioned the President, LBJ, or David Frost questioned another disgraced President, Nixon. I don't talk to you about the World Bank if you dare to mention the word "Vietnam" to me. And he got away with it for 11 years, until President Reagan got him relieved in 1981. The most disgraceful story of any public servant in the history of our country. The man that Harry Summers said, Westmoreland was wrong, everybody made mistakes in judgment. That is why this issue becomes mistakes in judgment. But he said McNamara was special, quoting historian Harry Summers. He was raw evil. And I believe that. So McNamara, the genius who is not a genius, jerks the six or the four surviving F-111's back, 1968.

Now we go to 1969. Nixon's stuck with the bombing pause. He wasn't stuck with it, he could have reversed it. We go through 1970, Kent State, all that nightmare. When did the F-111's go back?

Mr. MORRISSEY. 1972, September.

Mr. DORNAN. Under Nixon.

Mr. MORRISSEY. Under Nixon, yes. Nixon and Kissinger were playing good cop/bad cop with the Vietnamese at the peace negotiations.

Mr. DORNAN. Right. So here comes back "whispering death," 4 years later, and that is when we lost six more?

Mr. MORRISSEY. Six more in a span of 3, 3½ months.

Mr. DORNAN. Now I did not know that. Six of the world's most expensive two-seater aircraft, then being used as a SAC bomber at two fields, targeting the Soviet Union, and we lose six more. Yes, David, the Russians were obsessed. They wanted this one.

Mr. MORRISSEY. We knew it, too. Every time an F-111 went down, everybody that was in management went crazy. That is why I find it so difficult to believe that they let 40 minutes expire after my dad left the target area before they even initiated a radio search, 40 minutes.

Mr. DORNAN. There was a great deal of avionics upgrade, and electronics was advancing at an accelerated pace between 1972 and 1986. They would have wanted those bombing systems and navigation systems which were unique to that aircraft. And I thought we

lost two more. I did not know we lost six more. I didn't know we lost eight until I read it.

All right. Pick up where you left off and please finish.

Mr. MORRISSEY. I was making the comparison there between the fact that they knew about the 111 capsule in Russia and they never bothered to tell us, even though because at the time the identifier that was stenciled on the aircraft was obscured and the last digit was either a "3" or an "8," nobody could really tell. If it was a "3," it was my dad's capsule. If it was an "8," it belonged to the incident where the two individuals came back alive.

But when they found a couple of bone chips on the jungle floor somewhere in the vicinity of a disputed crash site, they called me right away. And the person making the notification doesn't possess even a hint of medical or anatomic knowledge and is unable to answer my questions or expand on the issue of bones in any fashion, even to the point of whether or not they are human.

On March 29, 1973, President Nixon went before the Nation and stated that all our American POW's are home, regardless of the fact that specific individuals such as David Hrdlicka were known to be in captivity and had not returned. Despite a historical understanding of Communist tactics to steal technology, an awareness of an ongoing collection and transfer program and strong evidence developed by our own intelligence service that my dad and other F-111 personnel were alive, we walked away from the war. Led by President Nixon and his National Security Adviser Kissinger, America abandoned its ally and withdraw from the war with an agreement no better than the one offered 4 years and thousands of lives, including my father's, before.

The Senate Select Committee heard testimony from three former Defense Secretaries who all indicated that they felt we left men behind. I believe that President Nixon made it clear in an April 11 meeting with Roger Shields that U.S. policy regarding POW/MIA's was to be "they are all dead." This meeting is recorded on Nixon's White House tapes, and I believe, as MIA family members, despite any concerns for executive privilege, we have a right to hear what was discussed that day.

Vietnam has divided our Nation over three generations and the question of abandonment lingers still. This Nation will never be able to reconcile our losses and put Vietnam behind us as long as this question remains unanswered. I ask for your help in ending this deception for my family, other MIA families, and the Nation.

The Morrissey family does not accuse the U.S. Government of conspiracy, but we have accused and continue to accuse the Government of a poverty of effort and shoddy analysis.

In summary, I will quote my brother Stephen's testimony before the Senate Select Committee on December 3, 1992. Simply put, the agencies of our Government responsible for the MIA issue do not provide us of their own volition and in a timely manner all information that they have about my father's fate, despite their often repeated promises to do just that. Moreover, the information they do provide cannot be accepted without question, but must be, instead, treated with the same skepticism and suspended judgment as information received from other sources.

Thank you again for the honor of speaking here today. I would also like to include Bruce Brown's F-111 report that you spoke of before, and a speech my son Matthew did for his fourth grade class about his grandfather.

[The following information was submitted for the record:]

F-111 Combat Losses in Southeast Asia



"Whispering Death"

Introduction:

Like many other family members of missing in action servicemen, I was delighted to read the report titled THE TRANSFER OF U.S. KOREAN WAR POWs TO THE SOVIET UNION, (the 77 page F-86 report) produced by the Joint Commission Support Branch Research and Analysis Division (DPMO), dated 26 August 1993. It, according to its own words, reports testimony "so broad and convincing," that Korean war era F-86 pilots and their planes were taken to the Soviet Union. This was a very important report since for once, an optimistic investigation into the cases of POW/MIAs was undertaken. As the son of a Vietnam era F-111 pilot who was reportedly taken to the Soviet Union, I am anxiously interested in any evidence of this type. I read the report with keen interest.

The "77 page F-86 report" shines like a search light beacon heralding the opening of a big event —LOOK HERE, WE'VE FOUND SOMETHING IMPORTANT! While there was not a lot of intelligence file information revealed to the report's investigators, there was certainly more use of this vital resource in the analysis and conclusions of the report than ever before. What made this report so special was that a branch of the Department of Defense actually produced a report which dared to contradict what was long stated by the Defense Intelligence Agency, namely: "There is absolutely no evidence that U.S. POWs were taken to the Soviet Union. . ." Instead of arbitrarily discrediting witnesses, or dismissing evidence which indicates a possibility contrary to what was policy convenient or politically expedient, a more optimistic approach was obviously tried. Of course the lists provided by the Russian side of the Russian/American Joint Commission investigating the POW/MIA issue (which are: "Air Force personnel. . .who transited an interrogation point" and "USAF aircrew members . . .about whom information is found in files of the 64th Fighter Aviation Corps,") were instrumental in changing the outlook of the investigation into the Korean POW/MIA issue. This new optimistic tack in the investigation considered it a probability that F-86 pilots survived their incidents, were captured, and along with their aircraft sent to the former U.S.S.R. So much so, that the formal U.S. representatives of the Russian/American Joint Commission on POW/MIAs presented this report as proof of Soviet liability and asked for explanations about specific airmen.

As the F-86 was the most advanced combat aircraft of its time, so the F-111 was for the Vietnam war era and therefore its significance to the Soviets. What follows are evaluations of the Vietnam era F-111 combat losses and how they compare with incidents cited in the "77 page F-86 report." There is a startling similarity with both type aircraft loss incidents. While the "77 page F-86 report" presents an optimistic tack, the fact that little if any notice has been given the F-111 case incidents —certainly not as an investigation categorized by this aircraft type, reveals the incongruous treatment we face with our Vietnam era missing loved ones.

— Bruce E. Brown

New Found Optimism

Of the "31 Missing USAF F-86 Pilots Whose Loss Indicates Possible Capture" circumstance of loss summaries expressed in the "77 page F-86 report," only one (#11) says that "rescue efforts were discontinued when it appeared that the pilot had been captured..." And only two (#3 & #27) report that the pilot "was seen to bail out of his airplane." At one end of the spectrum these are the most positive signs of potential survival. From there the next level down is an intelligence report on the interrogation of a captured Chinese soldier, which provided information not formerly known that indicated that pilot #23 was actually captured after his incident. Next is an "unofficial Chinese propaganda broadcast" reporting the survival and capture of pilot #2. And lastly, Russian archival documents turned over to Task Force Russia, of Soviet AAA after action reports, indicated that pilot #31 "successfully ejected and was captured by the Chinese volunteers." This speaks to six of the thirty-one incidents, after which the evidence drops off sharply. So sharply in fact, that pilot #22 was seen to crash his plane into a hill in an inverted position and not observed to have bailed out -yet his name is on this list of those "whose loss indicates capture." The rest of the loss incident summaries report something similar to: "an extensive aerial search revealed no traces of..." Five of the cases say "no circumstances of loss known." Considering the face value of the presented evidence in the DPMO report makes one wonder if more information was available to the investigators but not included.

Supplemental information about the missing pilot's additional training, education, and exceptional qualifications is included with many of the Loss Summaries. This would indicate the increased value to the enemy and therefore additional reason for transshipment and survival after the incident of loss if the pilot had survived his aircraft downing. Finally, for three cases (#14, #15, #25) the fact that these pilot's names appear on the Russian lists mentioned previously is presented to bolster the assertion that these men survived and were captured.

While some may question whether the conclusions in the F-86 report were comprehensively reached, my purpose for relating the above facets of the report is threefold. First, in the interest of a fair and frank examination of the evidence, something that I think has been severely lacking in the POW/MIA issue on the side of the U.S. Government. Reasonable examination of the facts and circumstances is what is required if the families of the missing men are to be taken seriously. Second, when you look at F-111 loss incidents during the Vietnam war, similarities with F-86 Korean war incidents concerning the type, amount, and quality, of evidence available is remarkable. Therefore, why haven't the analysts assigned Vietnam era losses pursued a similar tack? Third, in the cases of the F-111 losses from the Vietnam war, there is even more evidence and intelligence information available which indicates capture and transshipment than in the Korean war F-86 incidents. Why haven't the Russians been pressed in a similar way for answers at least in these F-111 cases?

Lastly, the question arises: Are we to believe that in the short eleven years between the end of the Korean war and the beginning of the official involvement by the U.S. in the Vietnam war, that the Russians would abandon a proven mechanism for obtaining the latest technology from their archenemy and rival nuclear power the United States? Would the Soviets not use every method possible to obtain an aircraft which was light-years ahead in technology from the F-86 they had stolen a decade earlier? The answers are obvious and they dictate conscientious scrutiny of the Vietnam war era F-111 combat loss experience —something that hasn't been done yet by any responsible U.S. government agency.

U.S. Intelligence Insight

The F-86 report reveals what U.S. intelligence knew about the subject of U.S. POW / MIAs being taken to the Soviet Union during the Korean war. One source on this subject is Lt. Col. J. Phillip Corso, who:

"...served as Chief, Special Projects Branch of the Intelligence Division, Far East Command, under Generals Douglas MacArther, Matthew Ridgeway and Mark Clark, during the Korean war. One of his primary duties was to keep track of enemy POW camps in North Korea, their location, the conditions at these camps, the estimated number of U.S. and other UN POWs held at each camp, and their treatment at the hands of the enemy. He has stated emphatically under oath before the U.S. Senate that U.S. POWs were taken to the Soviet Union. He stated that his information came from hundreds of intelligence reports from agents, defectors, North Korean and Chinese POWs, civilians, and repatriated U.S. POWs." *

A Capt. Mel Giles echoes the claims of Lt.Col. Corso. Capt. Giles was Far East Command Liaison Group, during the Korean war. Capt. Giles reports intelligence information concerning the transfer of U.S. POWs to the Soviet Union was so credible that it cancelled air strikes on the railway that would be carrying the POWs. The F-86 report lists many other sources of intelligence information which all say the same thing: that U.S. POWs were being shipped to the Soviet Union. As for the specific group of F-86 pilots, interviews with former Soviet military and intelligence personnel reveal the intense interest and methodology undertaken to obtain their intelligence requirement of capturing the F-86 intact and transporting it to the USSR for exploitation. Additionally, interviews with some other U.S. Korean war POWs reveals cases of mistaken identity (who were thought to be F-86 pilots) which brought both veiled and outright threats to take these men to Soviet soil.

Similarly, the Vietnam war has those who have come forward to tell of U.S. servicemen who were captured and transferred to the Soviet Union: Jerry Mooney, Terry Minarcin, and Barry Toll. There is even record of former Eastern Bloc General Jan Sejna (who defected and now works for DIA) reporting on shipments of U.S. POWs going through his former country of Czechoslovakia on their way to the Soviet Union during the Vietnam war.

* Pgs 31&32 of the TRANSFER OF U.S. KOREAN WAR POWs TO THE SOVIET UNION by the Joint Commission Support Branch Research Analysis Division DPMO. 26 Aug 1993

A Voice in the Wilderness

Jerry Mooney was the first to come forward from the intelligence community to tell what he knew of U.S. POW/MIAs left behind in Southeast Asia and transported to the Soviet Union and China. Mooney was an Air Force sergeant working for the National Security Agency (NSA). He tracked more than 300 POW/MIAs alive on the ground after their incident, during the Vietnam war, of which less than 5% came home. The book "The Men We Left Behind" by Mark Sauter and Jim Sanders says:

A member of the 6970th Support Group, Mooney's job was to intercept and analyze North Vietnamese communications. Among them were orders to "shoot down the enemy and capture the pilot alive," and "shoot down the enemy and execute the pilot." More importantly, he revealed, in a signed affidavit, "North Vietnamese messages revealed an interest in selecting priority targets to include F-111 aircraft, airborne intelligence collectors, F-4 laser bomb equipped aircraft and electronic support aircraft." The reason was to repay Vietnam's Soviet benefactors, who wanted access not only to American equipment but also the people who could use it -American POWs.

Several of the F-111 crew members missing in action, showed up on the lists of men that were tracked by Mooney to Soviet presence transition points in Laos. Mooney bases his knowledge on the thousands of intercepted enemy reports that the super-secret NSA plucked out of the sky during the war. These reports were from field units to division, regional, and central military headquarters -Hanoi. Far different from the propaganda in the Vietnamese news media, the intercepted reports were what the enemy's own units were saying to each other and up the chain of command. Along with those reports which specifically dealt with the shoot-down, capture, and transportation of U.S. pilots, logistical reports would often confirm intercepted strategic and tactical information.

As was the case with the assertions by Lt.Col. Corso, Congressional investigators have not been able to find, and have not been provided, the intelligence files and reports cited by Mr. Mooney. The CIA and NSA did not provide the recent Senate Select Committee on POW/MIA Affairs 1991-1993 with the vast majority of intelligence files they have in their possession on this issue. The Committee's final report sites "*more than 3,000 postwar reports and 90 boxes of wartime files*" were seen by its investigators. However it goes on to say:

"Hundreds of thousands of hard copy documents, memoranda, raw reports, operational messages, and possibly tapes, from both the wartime and postwar periods remain unretrieved in various archives and storage facilities. Most troubling, NSA failed to locate for investigators any wartime analyst files related specifically to tracking POWs, despite the fact that tracking POWs was a known priority at the time. This failure made it impossible for the Committee to confirm some information on downed pilots that was provided by NSA employee Jerry Mooney." [Emphasis added]

Because such files haven't been provided or located for review doesn't mean they don't exist, or that they don't report what these men say they do. It just means the intelligence agencies involved, jealously guarding their power (collecting and controlling information), don't want to give up this information —yet.

What is most disconcerting is that neither the Russian/American Joint Commission or the DIA POW/MIA office (the agency charged with investigating Vietnam era Missing In Action cases) has consulted with Mr. Mooney concerning his knowledge. For the Vietnam era "Moscow Bound" missing servicemen, no methodical investigation has been implemented, and no serious effort is being made to account for specific individuals.

Additional intelligence personnel have come forward to echo the words of Mr. Mooney. Terry Minarcin, also formerly an NSA employee, reported to the Senate Select Committee on POW/MIA Affairs specific information on captured servicemen. Minarcin even identified the code which was broken to retrieve this information. Again the book "The Men We Left Behind" says that Minarcin, who is a Vietnamese linguist, listened to intercepted Vietnamese radio signals concerning flights from special POW camps to Hanoi. From there, Soviet IL-62 transports piloted by KGB personnel transported the American POWs from Gai Lam International Airport, Hanoi, to the Soviet Union. Minarcin testified before the S.S.C. on POW/MIA Affairs, concerning one F-111 case in particular where intercepts he saw showed the crew and aircraft were transshipped to the Soviet Union. According to a Senate staffer, Mr. Minarcin passed a lie detector test on this information.

Another person with such knowledge is Barry Toll. He also has provided the Committee with sworn statements concerning the movements of U.S. POW/MIAs to the Soviet Union. "The Men We Left Behind" says of Mr. Toll:

From June 1973 to July 1975, Toll was assigned to the Airborne Command Post system as an intelligence specialist. He served mostly with the flying command post of the Commander-in-Chief, Atlantic Command. His job was to help brief top U.S. commanders -including the President- if they were forced to the air during a nuclear crisis or war. Toll's duties, which required him to have a security clearance far above Top Secret, included staying up to date on the most sensitive intelligence available to the White House.

During that time, Toll says he saw several "real time" reports going to the President concerning the shipment of U.S. POWs to the Eastern-bloc... There was even one unsuccessful U.S. intelligence effort to photograph U.S. POWs arriving in East Germany, he said.

..."During the period September 1973 through April 1975 I can personally recall on at least three, and as many as five, occasions when CIA/DIA and NSA would track the real-time movements of Soviet or Eastern Bloc aircraft carrying U.S. POWs or (on one occasion) CIA operatives from North Vietnam to either the USSR proper, or to either East Germany or Poland. I believe on one occasion the destination became Bulgaria."

The Senate conceded that Toll did hold the command post job and had "access to sensitive message traffic"...

Amazingly, the Senate failed to compare Toll's testimony with corroborating information from Minarcin, Sejna and Khai [and Mooney]. The Committee also failed to obtain the Presidential briefings described by Toll... (Brackets added)

From just the few intelligence sources listed above, it is clear there is a lot of information available in our own back yard which has not been properly processed as to its present relevance concerning the Vietnam era POW/MIA issue. As we have seen in the case of the "F-86 report" having this intelligence greatly increases the effectiveness of the investigation. So much so, that in the case of the Korean war F-86 pilots, specific servicemen have been identified and precise additional information requested from the Russians as a result. Significantly, the intelligence files providing this impetuous have come from the Russians themselves! What greater opportunities exist in U.S. files for the Vietnam era investigation? Do we have to wait until the Russians feel like turning over their files in this area too?

Foreign Intelligence

The F-86 report cites many Russian military and intelligence sources, reporting on details for the Soviet operation to shoot down, capture, and transship, an F-86 aircraft intact. Have any of these men been questioned concerning a similar operation to retrieve an F-111 from Vietnam? It is very likely that they were on duty during the Vietnam war era-likely promoted to a higher position- and may have been part of such a *graban* F-111 program. If they weren't, they might know who replaced them. No such questioning of men in this category with respect to the F-111 has been done.

Former Czech. General Jan Sejna, now working for DIA has reported that many U.S. POWs from Vietnam were taken through his country on their way to the Soviet Union. A Vietnamese defector testified before the Senate Select Committee on POW/MIA Affairs that an F-111 was transshipped from North Vietnam to China or possibly Russia. Additionally, a former KGB Colonel told the son of one F-111 pilot (reportedly taken to the former U.S.S.R.) that an intact aircraft was captured and transshipped to the Soviet Union in the same month and year of his father's incident, corroborating sworn Senate testimony indicating that his father's aircraft had made such a trip. To fully understand the significance of the Soviet's successful efforts in capturing F-111 aircraft and crew, a brief look at the F-111's unique characteristics is warranted.

F-111 Characteristics

The F-111, called *Whispering Death* by the Vietnamese, *Cadillac of the Skies* by admirers, and affectionately *The Aardvark* by those who flew it, was the most sophisticated combat aircraft at the time it was introduced into a hostile situation in Southeast Asia in 1968. The advanced swing-wing design and low level Terrain Following Radar (TFR) guidance system were designed to fly the aircraft in all-weather conditions and hit targets with pinpoint accuracy from both high and low altitudes at supersonic speeds. Capable of flying at Mach 2.5 and carrying a bomb load equal to five times the F4, the F-111's mission success rate was 97.5%;



with an aircraft loss rate of only 0.7%. The F-111 is a two man crew, side-by-side seated, aircraft. The aircraft was the first designed to use "stealth" techniques without the present form of radar reflective invisibility. Traveling at supersonic speeds just above the treetops, rolling up and down over hills and swaying back and forth between karsts, the F-111 avoided radar detection to strike out of nowhere -thus the Vietnamese name "*Whispering Death*."

BASIC DEVELOPMENT

System Development Requirements (SDR) and Specific Operational Requirements (SOR) for the F-111 were issued in early 1960. By late 1960 Requests for Proposals (RFP) were issued but held in abeyance until June of 1961 pending Secretary of Defense Robert S. McNamara's efforts to make the TFX (Tactical Fighter Experimental program, as the F-111 was initially called) a tri-service fighter. After commenting on service branch differences the Encyclopedia of U.S. Air Force Aircraft and Missile Systems, Vol. 1, Post-World War II Fighters, reports:

Notwithstanding, Secretary McNamara remained convinced that the TFX could satisfy other Navy and Air Force needs. In June he instructed the Air Force to "work closely" with the Navy in tying the two services' requirements into a new, cost-effective TFX configuration.

The same publication describes the go ahead decision issued on September 8, 1961:

The decision by OSD [Office of the Secretary of Defense] was accompanied by a revised SOR 183, reflecting Secretary McNamara's arbitration of Air Force and Navy un-reconciled requirements.

The final SOR called for a wider fuselage for the Navy's need for more internal fuel capacity and a panoramic nose antenna, with overall dimensions and weight kept to the maximum acceptable for carrier operation. The Air Force version was slightly heavier than the Navy's. In December 1961 the official designation was changed to F-111A for the Air Force and F-111B for the Navy version. Contractor selection was completed by November 1962 with General

have said that it simply wasn't necessary to get down to 200' in most areas (Hanoi being the exception). In the area where most F-111 aircraft losses occurred, Route Pac One (Quang Binh province —southern North Vietnam near the DMZ), the aircraft attack altitude was normally between 300' and 500' depending on the AAA defenses experienced on the way in. Also the notorious TFR (Terrain Following Radar) problems were blown out of proportion by the cynical press. Right seaters, Weapons Systems Officers (WSO), have told me that fail safe measures were initiated on the squadron level for the occasional radar blanking problem they were having. The typical press representation of this problem was to say that when this altitude controlling device would blank out, the aircraft would plummet like a rock into the nearest hill or mountain. To the contrary, additional radar was installed which, in the event a TFR blanking occurred, would take over flight control and perform a immediate ascent to clear any possible obstacle in the aircraft's pathway. Additionally, this type of blanking effected the earlier aircraft during prototype testing and is different from what was experienced in combat situations in Southeast Asia. The second type of blanking had to do with the forward looking radar. It was not something that happened suddenly and left the aircrew immediately helpless. Blanking on the forward-looking radar screen apparently happened when a certain cloud mass ahead of the aircraft contained a certain size rain drop accumulation which would not reflect in a way the radar could detect properly. A blanking would occur and at that location obstacles would be invisible. This was something that WSOs could see well in advance if they were paying attention to their screen —and at 500 knots, 500' above the ground they were glued to it! While the WSO watched the approaching "non-reading" area, he would call out to the pilot in incremental measurements of approximately 1/2 mile until the blanked section got too close for comfort. This was usually at the 4.5 mile mark (each crew had its own comfort limit), if the blanked section hadn't cleared up by then, an immediate fly-up was performed. In real bad weather these blanking occurrences happened often enough to force some missions to go to secondary targets —not fly into the ground.

Using the criteria outlined in the "F-86 report" for F-86 loss summaries; including conclusions allowing for capture and transportation to the Soviet Union, and applied to the F-111 official loss summaries from the Vietnam war, startling evaluations are produced. The following paragraph is taken from the "F-86 report" with the numbers changed to reflect F-111 statistics.

A total of 8 [F-111] aircraft were downed in aerial combat or by antiaircraft artillery [involving 16 aircrew]. From these aircraft 2 live pilots and 2 sets of remains were repatriated. Of the 6 remaining cases, conditions were such that survival was possible. The 75 percent missing in action rate is unusually high compared to missing rates for pilots flying other airframes. (Brackets added)

The "F-86 report" found it astonishing that the Korean War F-86 loss incidents had a 55% missing in action rate. So much more so are we outraged with the 75% F-111 missing in action rate —that produces no serious effort to account for these men.

A special feature of the F-111 makes it even more probable that these men found themselves *alive* on the ground after an ejection —the first vital step in following an evidence trail to their ultimate fate. If it can be established by physical evidence or intercepted communications that these men were in fact captured, then the rest of the scenario factors (the exploitation of the F-111 airframe, systems, and pilots, as well as any "special talents" an individual pilot may have) come to bear.

Dynamics being given the primary contractorship by the OSD despite the Air Force Council and Air Force Selection Board's choice of the Boeing design. This spurred a congressional investigation. Secretary McNamara justified his contractor selection by pointing to the fact that General Dynamic's design was closer to a single design, requiring only minor modifications to fit Navy and Air Force needs, and was a more realistic approach to the cost problem.

The first flight of a RDT&E Aircraft (Research and Development prototype version) was made on December 21, 1964, overall results were satisfactory with the aircraft achieving Mach 1.3. The earlier October 15, 1964 roll-out ceremonies prompted Secretary McNamara to remark:

"... the Air Force, the Navy, and General Dynamics and its subcontractors ... have produced a plane which will fly faster at any altitude than our best current fighter—a plane with several times the payload and twice the range of any previous fighter-bomber. One F-111 will have the fire power of five World War II flying fortresses ... For the first time in aviation history, we have an airplane with the range of a transport, the carrying capacity and endurance of a bomber, and the agility of a fighter pursuit plane ..."

The first production aircraft flight happened on December 12, 1967. Subsequent bombing tests provided immediate evidence of the potential this aircraft had. The results of the spring 1967 Combat Bull's-eye I tests confirmed the superior bombing accuracy of the aircraft's radar and prompted the F-111A's early deployment to Southeast Asia.

Six Combat Lancer F-111As departed Nellis AFB on March 15, 1968 and reached Takhli Royal Thai Air Base on the 17th. By the end of the month, 55 missions had been flown that centered on North Vietnam targets, two aircraft had been lost. A third loss on April 22 halted F-111A operations. Only two had been combat losses with no explanation for the downings, the other loss was operational, noncombat in nature.

While the F-111 received a lot of bad press after these and subsequent downings, life in the cockpit wasn't so bad. Articles appearing in: Armed Forces JOURNAL, July 19, 1971; TRUE, August 1971; the Chicago Tribune September 20&21, 1972; and Air Force magazine, June 1973 extol the benefits of the aircraft as expressed in interviews with combat experienced pilots. These pilots were completely confident in their aircraft. One statement in an Air Force Magazine interview seems to be representative of the attitude:

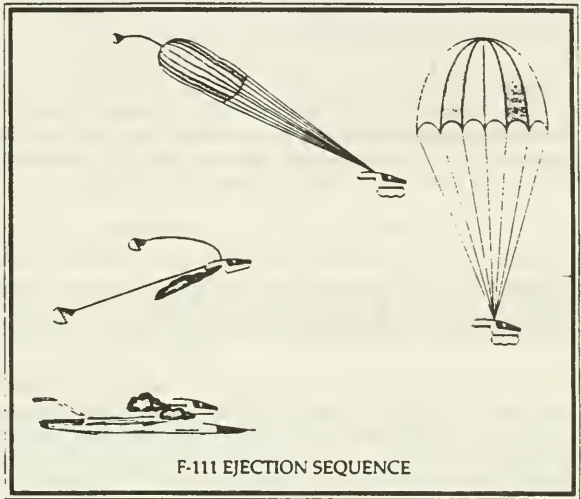
"The confidence I gained in the airplane—it made a believer out of me. I'll tell anyone in the Air Force that, given a choice on a night strike of going in high or going in low, I'll go in low every time. And I'll go anywhere in the F-111."

Additionally, my interviews with F-111 aircrew have provided insight into mission realities. While the swing-wing aircraft was capable of hitting supersonic speeds, attack runs were normally subsonic. While the treetop hugging capabilities of this aircraft are renown, it appears that normal ingress was at an average 500' above ground level—still very low! Pilots

* Encyclopedia of U.S. Air Force Aircraft and Missile Systems, Vol 1., Post World War II Fighters, 1945-1973, by Marcelle Size Knaack

F-111 Ejection Crew Capsule

With all of the advanced weapon and navigational systems, possibly the most important design feature to the pilots of the F-111 was the ejection system. The F-111 ejection system is a 0-0 system. This means that the aircraft could be at zero altitude with zero velocity, literally parked on the runway, and a successful ejection sequence accomplished with complete pilot safety. Upon initiation of the ejection sequence a rocket propulsion unit clears the separating crew capsule from the supersonic aircraft at altitudes too low for other ejection systems to safely be operated. The whole cockpit capsule, with the pilots in their seats, would separate from the aircraft by at least 500 feet, providing a well protected descent. After clearing the aircraft a parachute would deploy and an airbag would inflate around the bottom of the capsule. Over sea, additional permanent air bags inflate to right the capsule and keep it afloat for rescue. The F-111 ejection system design provides a safe landing for the aircrew with maximum potential for survival. If the ejection sequence was initiated, there was an excellent probability that the crew would get down safe. The F-111 is one of the most survivable aircraft in operation.



In light of the highly safe and effective ejection process for the F-111, additional hazards can be all but eliminated when considering whether or not an aircrew survived their incident. The strict orders given to Vietnamese units were to *capture F-111 pilots alive*. The F-111 crew-capsule gave these units the excellent opportunity to do just that, along with securing the most important part of the aircraft. All the instrumentation, control apparatus, as well as special navigation and weapons controls were in the cockpit. If the crew had the opportunity to eject, the Vietnamese had a great opportunity to capture the crew. As mentioned above, altitude and velocity restrictions were null with this 0-0 system. Even the low tree top altitudes these aircraft approached their targets at was not a hindrance to a successful ejection. While supersonic would not be an ideal condition for ejection (bombing runs were performed at subsonic speeds), it would still be possible. Additionally, any rough terrain or tree canopy wouldn't hinder a safe landing. The air-bags which deployed around the bottom of the capsule provided a safe cushion upon landing. There are extreme possibilities in any ejection, but the overwhelming odds were in favor of aircrew safety.

F-111 Case Studies

F-111s were first deployed to Southeast Asia in March, 1968. Eleven days after reaching Takhli AFB, Thailand, the first F-111 went missing in action.

On March 28, 1968, Captain Dennis L. Graham, pilot, and Major Henry E. MacCann, aircraft Commander and Weapons System Officer, flew aircraft #66-022 on an early morning mission into Route Package 1, Quang Binh province, North Vietnam. When the aircraft did not return to Takhli by 0630 hours, a search effort was initiated. This was terminated on April 13, 1968 with no positive results.

Two reports indicated a possible loss location for this incident, however, no wreckage found could be identified as being part of the lost aircraft and no information concerning crew disposition was forthcoming. Captain Graham and Major MacCann are listed as Missing In Action (MIA). The crew's disposition is listed for administrative purposes as Presumptive Finding Of Death - Body Not Recovered (PFOD-BNR).

You might think with this scant evidence that these men certainly could not be placed in any "Moscow Bound" category. However, several of the F-86 loss summaries have no more information about their incident than this one and they are listed as "Whose Loss Indicates Possible Capture." Fortunately men who were on duty at the time, and remember F-111 loss incidents because of the ruckus they caused, are available to tell us what happened.

According to former NSA Analyst Jerry Mooney intercepted No. Vietnamese Air Defense Weapons Operations Center (ADWOC) Combat Watch Officer reports revealed that Vietnamese AAA units had been training in special "flak-trap" techniques to shoot down low flying aircraft like the F-4 Lasers. The F-111 fit this bill perfectly, its modus operandi was tree top strikes below enemy radar at altitudes too low for SAM effectiveness. The Vietnamese had noticed the Terrain Following Radar checks the F-111s were performing as a prerequisite to their mission, flying up to a high altitude to check radar offsets appeared like a spike on the No. Vietnamese radar. Radar and Visual Observation Teams had been surveying the commonalities of strike ingress/egress paths (pilots tended to use the same "initial points" (IP) for mission turning points, and similar paths for egress and return flight to base). All of this information was used to coordinate AAA Flak Trap regiments in a concerted effort to bring down specific aircraft.

Various AAA Flak Trap units would be stationed at chosen points such as expected targets and commonly used mountain passes. As many as half a dozen units might be stationed awaiting the next aircraft. Forward Visual Observation Corps units would be alerted by radar when a TFR check was being performed. Each unit would look for the aircraft, or, because so many F-111 missions occurred at night, they would listen for engines to pass their location. As the aircraft was spotted, radio communications alerted the appropriate units down the line to stand ready. Advance warning could be as much as 15 minutes or more. The AAA Flak Trap units, with their own forward observers, would target the aircraft as it came into their position. AAA tracer fire would attempt to mark the direction of the aircraft by effectively lighting up its path as it roared by. "BLOCK" units stationed at the far end of the valley projected the

incoming heading and tried to bring the plane down. The BLOCK units were comprised of hundreds of men set out in a grid, 10 feet apart, lying on their backs, pointing their small caliber weapons into the sky awaiting the order to commence firing. This method sent a wall of bullets up hopefully as the aircraft passed overhead. If they got lucky, the aircraft would be hit and go down. With the F-111 it was an extremely lucky shot, the shooting envelope was so short that only on the rarest occasion would one be hit, and rarer still, disabled and brought down.

According to Mooney the Graham/MacCann incident was the first F-111 to be successfully flak-trapped. Elements of the 367 Division, possibly the 280th or 250th AAA regiment caught the "Whispering Death" as it flew into their net of fire. Intercepted No. Vietnamese ADWOC Combat Watch Officer and Post Fire reports each reported the shoot down and capture of the two aircrew. Additional intercepted reports revealed the transportation of the crew from the southern areas up into central and northern points in North Vietnam. Finally, the crew was taken into Laos to the Soviet presence in Sam Neua, which was termed "Tentacle Moscow Bound." Mooney reports that after intense interrogation and probable torture: "if the individual 'cooperated', or showed signs of cooperation with the Soviets, they were moved on to the Soviet Union, if they didn't — they were handed back over to the Vietnamese." Mooney lists Graham and MacCann as being taken to the Soviet Union.

* * *

On April 22, 1968, F-111 #66-024 flown by Navy LCDR David L. Cooley and Lt.Col. Edwin D. Palmgren, did not return to base. When no communications were forthcoming after estimated time on target, a search effort was initiated, with no results. Both men are listed as MIA, PFOD - BNR. A Hanoi radio broadcast later stated that the Vietnamese had shot down the F-111, but no disposition of the crew was stated.

Like Graham/MacCann, Cooley and Palmgren had target coordinates in Quang Binh province, southern North Vietnam just above the DMZ, Route Package 1. This area was thought to be a "milk run" by pilots because of apparent lower AAA defenses. However, at least as far as the F-111 is concerned, it caught 50% of the aircraft losses.

Again Mooney explained that ADWOC Combat Watch Officer and Post Fire reports indicated that both men had been captured in the shoot down incident, and had followed the same path to Soviet control. It was Vietnamese AAA Division 367 which flak-trapped this F-111, but this time elements of the 559 transportation regiment made up of indigenous personnel that were assigned to the 367 did the actual flak-trapping. The incident occurred close to the Laos boarder along the Ho Chi Minh trail. The ejected pilots, inside their crew-capsule were immediately picked up and headed north to Sam Neua, not even bothering to bring them back into North Vietnam. The last communications NSA had was that the Vietnamese were taking them up through the Plain of Jars.

Interestingly, in the case of LCDR Cooley, the Soviets got a prize catch. Cooley had been one of the test-pilots for the F-111B (the Navy version of the F-111). He had been instrumental in forming carrier landing technique modifications which resulted in a 75% reduction in carrier landing accidents, as testified to by the "Richard Hansford Burroughs Test Pilot Award" given to Cooley. The award goes on:

"As project officer and test pilot for the F-111B, he utilized this system to provide

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a comprehensive evaluation that was instrumental in the development of extensive changes to make this aircraft suitable for aircraft carrier operations."

The Soviets, who were intensely interested in developing their own F-111, would have thought it "Manna from Lenin" to have this decorated test pilot come into their control. This may have been the first opportunity to use "special talent" F-111 POWs in their Sukhoi SU-19 development program (later to become the SU-24, in full production by 1975 —see page 26).

The Cooley / Palmgren loss was the third aircraft incident (the other one being noncombat) in the two short months of deployment. This was too much for the Pentagon to bear and combat operations were halted. The F-111s stayed until November 1968 before returning to the United States. Keen interest in the controversial F-111 stepped up, it became labeled by some as McNamara's "Flying Edsels." It was also accused in the press of being a potential "Technological Gold Mine for the Reds."

After post production modifications, grounding, and modernization, the aircraft that scared the crap out of the Vietnamese, and gave the Soviets sleepless nights, was redeployed to Southeast Asia. On the first mission after redeployment, another F-111 didn't return to base.

* * *

On September 29, 1972, two days after redeployment, aircraft #67-078, flown by 1Lt. **Robert A. Brett** and Major **William C. Coltman** was reported missing in action. The same loss scenario as the previous incidents was repeated. No results turned up from the search which followed. Both men are listed as MIA, PFOD - BNR.

Four Hanoi radio broadcasts reported the shoot down of this F-111. A BBC report said the Vietnamese claimed to have captured the crew. Sometime later Brett's father received a letter from JCRC which identified a strobe light in a Vietnamese military museum as belonging to the his son's F-111.

Terry Minarcin was on duty as a crypto-analyst and Vietnamese linguist, working for NSA at Joint Service Processing Center, Okinawa, Japan. As Flight Translator, Minarcin would review incoming intercepts for quality assurance. Airborne platform receivers (RC-135Ms) would gather intercepted Vietnamese communications from any radio source. "Hand logs" turned in from receiver operators, would be compared with reporter transcriptions of the same intercepts. If they didn't match, Minarcin would make a transcript from tape and check it with both reports, a final report would be made if necessary.

Like Mooney, he remembers the Vietnamese chaotic excitement erupting whenever an F-111 was shot down and the pilots captured. On September 29, 1972, Minarcin received the reports from the returning airborne receivers in the early pre-dawn hours. The Vietnamese were going crazy over the shoot down of one of the aircraft they called "Whispering Death". This mission was northwest of Hanoi, in the Black River valley, Nghia Lo province. The crew had ejected, with the capsule coming down in the vicinity of UTM coordinates VJ630405, within 750 meters of a "Special" POW camp, located halfway between Ban Gian and Sui Bung villages. State security forces ran these special camps. Minarcin says later logistical intercepts

confirmed two additional persons in the special camp. Additionally, airborne collectors out of NKP and Udorn, Thailand, picked up the Vietnamese AAA communications which reported seeing the capsule separate and parachute deployment.

Both men were captured alive and transported to the Soviet Union if they were "broken" at the Soviet Sam Neua processing point. 1Lt. Brett was 24 years old at the time of his loss, he would be only 46 years old today.

* * *

Captain James A. Hockridge and **1Lt. Allen U. Graham** were shot down flying aircraft #67-066 on October 16, 1972 in the Military Region One, near Hanoi by AAA Division 361. The loss summary for this incident is the same as the previous ones. When no communications could be established a search effort was initiated, with no results.

However, on October 18, 1972 a radiophoto was received identifying two pilots of an F-111 shot down in Vinh Phuc province in the early morning of October 17. The caption named both crewmen and stated that both had died in the crash of the plane. The pictures included two I.D. cards and the aircraft wreckage. Reportedly, the aircrew were still in their seats in the crewcapsule. The remains of both crewmen were repatriated. Both men are listed as KIA.

* * *

On November 7, 1972, **Major Robert M. Brown** and **Major Robert D. Morrissey** were flying aircraft #67-063 on a single aircraft strike mission into Quang Binh province, Route Package One. When they didn't return to base after elapsed fuel exhaustion, a search effort commenced and ended with no positive results. Both men are presently listed as MIA, PFOD -BNR.

Several Hanoi radio broadcasts pronounced the shoot down of yet another F-111, but said nothing of the crew. Intelligence reports say the Vietnamese were using additional units to transport the "hulk" (the plane minus the crewcapsule?) of the F-111 and were ordered to do so in secrecy. Another intelligence report cites the shoot down of a low flying F-4 on November 7, 1972 and the capture of the pilot. Again orders were to keep this secret. What is important about this, is that the Brown/Morrissey F-111 incident, on Nov. 7th, was the only aircraft loss occurring that day in the war and so this intelligence report is correlated to the Brown/Morrissey case. Significantly, it has been revealed that Brown's I.D. card is on display in a military museum in Vinh, Vietnam, in good condition. This indicates that it, and the wearer, did not go through a catastrophic explosion upon impact with terra firma —as the DoD contends.

Both Jerry Mooney and Terry Minarcin are familiar with this incident. Mooney said elements of the 367 Division possibly the 284 or 287 AAA regiment, brought down the F-111 in a flak-trap. Flak-trapping methods were used with different variations and features. In general larger guns were used to encourage a flight path into an area infested with smaller guns. Tracer fire was used to mark the path of the aircraft for units in place down-line. The small arms fire would possibly hit the aircraft and disable it, but more often the intent was to fire ahead of the plane sending up a "wall" of lead creating a vacuum and causing engine flame out, or foreign object damage to the engines —bringing it down. Minarcin says it was a flame-out resulting

from the flak-trap that brought down this F-111. The aircraft was already low and went down into rice fields practically intact. Aircraft beacons were heard and Search And Rescue (SAR) teams were launched, however the AAA became too severe in that area so no SAR aircraft could get in to attempt a rescue. Both men recall multiple messages about camouflaging the aircraft, as well as the normal hiding of the AAA guns. Apparently, according to Minarcin, the plane was dismantled, stored underground temporarily, then trucked to Vinh, Vietnam. From Vinh, (the place where Brown's I.D. card is) the plane and crew were taken to Nghia Lo, where the plane was put on a train for the Soviet Union. Brown and Morrissey were moved on to Sam Neua, Laos, and then the Soviet Union.

Once again the Soviets had a prize catch on their hands, only this time they got something more. The flak-trap training had paid off, finally an intact F-111 was captured. But the icing on the cake was the crew. Morrissey had worked as a military intelligence staff officer in the 1960's during the Cuban Missile Crisis, as well as being a Bomb./Nav. on a B47 equipped for nuclear strikes. Brown was an electrical engineer and had worked as backup Network Controller for the Mercury and Gemini space programs, as well as being a project scientist testing the U.S. Anti-Ballistic Missile system. Significantly, within eighteen months of Brown's capture, the Soviet Space program went through a major overhaul, with upgrades in the areas of expertise that Brown possessed. This brought the Soviet Space program up to the Gemini level of complexity (see Aviation Week & Space Technology articles 3/11/74 & 7/15/74).

* * *

November 21, 1972 was the day for the next F-111 to be lost or in this case go "feet wet." Aircraft #67-092, was flown by **Capt. Ronald D. Stafford** and **Capt. Charles J. Caffarelli**, they are currently listed as MIA, PFOD-BNR. Jerry Mooney remembers this one vividly as one of the incidents which NSA tried to warn down the line that the enemy was ready and waiting for the next F-111. Mooney recalls it as one of the most successful flak-traps accomplished. His shop had received indications that the N. Vietnamese were expecting and preparing for the next F-111 to come skiing between the karsts. When he alerted DIA to the situation, they told him it was out of their hands. "There's nothin' we can do about it, Air Force says they have to check out their TFR," Mooney says he was told.

As expected the aircraft got slammed. As it headed toward the coast the flak-trap disabled it. The initial evaluation was that the pilots had survived because controlled flight was indicated post fire. However, it was later deduced that the Terrain Following Radar (TFR) may have made the final maneuvers prior to splash down. Pieces of the canopy apparently broke off on impact and floated down shore with the strong current. Mooney reports he does not remember any indication that the pilots had ejected, and none that the Vietnamese had captured them. The aircraft had gone in at a low altitude, very fast, and hit the water just off shore about two miles. Mooney remembers later reports indicating that N. Vietnamese divers were cannibalizing the sunken aircraft.

Interestingly, Stafford's brother has received declassified NSA reports contemporaneous to his brother's incident which show the Vietnamese reporting a possible ejection in connection with this incident. At least three reports indicate this, with one stating that additional units were sent to look for the pilots and requested guidance in what to do with them when captured. Had they actually ejected? A 1973 Dept. of State (DOS) document changes the status of the Stafford/Caffarelli case from MIA in Laos to KIA in Laos. How did the crew get into Laos from

the Vietnamese coast? What knowledge did State receive that revealed the whereabouts of this crew to so radically change their status? Interestingly the same D.O.S. document lists "Air America" the notorious CIA airline as providing State with information on two of its pilots. Additionally, the same document includes information on Sgt. Matejov and Sgt. Cressman, both from the famous "Baron 52" incident—known to have been captured and moved in Laos. This document also lists the total Americans missing in Laos as of January 22, 1973 as 309. In reporting so many significant items the D.O.S. document requires serious contemplation. Did Stafford and Caffarelli survive their incident, get transported to Laos on their way to the Soviet presence in Sam Neua as was the case with other F-111 crews, only to die mysteriously on the way? Did they in fact die, or as in other cases was it *assumed* they perished?

Ron Stafford received his bachelor's degree from the University of Colorado, had been a pilot trainer for the Air Force, and had previously been shot down in 1969 flying an F-105. He was an experienced and decorated flyer. What happened that day is still anyone's guess, but Korean war F-86 incidents remind us that what may seem improbable is possible.

In Appendix B of the "77 page F-86" report, "31 Missing USAF F-86 Pilots Whose Loss Indicates Possible Capture", is #22, 2Lt. Bill J. Stauffer; date of casualty January 26, 1953, his status is MIA. What makes Stauffer's incident relevant is the seemingly impossible circumstances of which he supposedly survived. The "F-86" report simply states that during a battle, "his aircraft was observed to have crashed into a small hill in an inverted position. Lieutenant Stauffer was not observed to have bailed out." No other information is listed in the report to suggest a reason for the expectation that Lt. Stauffer survived, yet his name appears on the U.S. list stated above.

Another such incident is #15, Captain Albert G. Tenney, date of casualty May 3, 1952, his status is also MIA. The "F-86" report relates that during a battle Tenney's F-86 was seen to "execute evasive maneuvers at an extremely low altitude." "...he leveled the wings of his F-86 which then struck the surface of the water in a low-angle high speed glide approximately 3 miles off shore near the mouth of the Yalu River." The flight leader was forced to leave the area and didn't see Tenney abandon his aircraft or see it sink. Search aircraft returned later that day to find Korean surface craft on the water in the vicinity with no trace of Capt. Tenney or his F-86. The report makes the point to mention that "Captain Tenney's F-86 was not seen to disintegrate or sink and the possibility exists that favorable conditions prevailed whereby Captain Tenney survived and was rescued by North Korean surface craft seen in the area." In Capt. Tenney's case, his name appears on the Russian provided list "A List of United States Air Force Personnel Shot Down in Aerial Combat and [...] Who Transited Through an Interrogation Point." It is interesting that in both of the cases listed above a loss evaluation was made based, just as much on what was not known, as what was known. And, in exception to what is commonly practiced with Vietnam era losses, these two cases were given the optimistic 'benefit of the doubt'. At least in the case of Capt. Tenney, some hindsight appears to have been applied. What is sure is that these two cases illustrate the incongruity of investigative attitude concerning MIA case-handling between the two war eras. Additionally, if these evaluations are correct, it shows what is actually possible, despite improbable odds, and with the added factor of the highly effective ejection system of the F-111, there is all the more reason for an optimistic attitude when there may be doubts.

Lt. Col. Ronald J. Ward and **Major James R. McElvain** were flying aircraft #67-099 on December 18, 1972 on a combat mission against the Hanoi International Radio Complex. Both men are listed as MIA, PFOD-BNR. In normal communications Ward reported they were "off-target". The last communications with Ward/McElvain was that they were heading for "feet wet."

This is an incident that Terry Minarcin remembers well. Coming on duty, there was a big ruckus at his shop over another F-111 going down. It was within eight hours of the incident and reports about the aircraft and crew were still "hot." Apparently, the crew had ejected Northeast of Hanoi near "White Mountain". Minarcin remembers several rescue attempts being made with both crewmen losing their lives during the attempts. Minarcin says four helicopters were lost the first day of rescue operations with two to three teams taking heavy casualties. He says Soviet advisers were frantically involved in directing the Vietnamese in the attempt to capture the men and inflict as much damage on the rescuers as possible. This aspect stands out in Minarcin's mind also because the Soviets were careful and rarely let themselves be heard. For whatever reason, this time, they were furiously communicating with their No. Vietnamese comrades, not trying to hide in the background.

Mooney also remembers this one clearly. He listed both men as probable KIA from the information intercepted in the Post Fire reports. Mooney had elements of the 363 AAA Division listed as the perpetrators of this incident.

* * *

The last F-111 loss incident proved to be the most important, at least for NSA Intelligence. Mooney relates that by this time, (and sadly, probably for the Ward/McElvain incident too, if they had survived) Vietnamese priorities had changed. Tactical communications indicated a policy change had occurred by late 1972. North Vietnamese messages were increasingly being "signed" by political officers who were directing U.S. pilot captures out of previous established channels, they were to go straight into the "warm body count" holding prisons. This was done on a specific, selected basis for areas and time frames in which the pilots were captured. By mid-December 1972, the overriding policy was to jack up the "warm body" count. Mooney remembers that the enemy had all but stopped its flak-trap activities by this time, had consolidated its resources, and was waiting for something big. When the next F-111 loss occurred, NSA was waiting to see if the subsequent actions would confirm their analysis.

On December 22, 1972, F-111 aircraft #67-068 carrying **Capt. Robert D. Spooneybarger** and **1Lt. William W. Wilson**, was shot down. This was apparently accomplished by the proverbial "golden BB". Wilson's story of the event is chronicled in Squadron/Signal Publications Aircraft No. 35.

It was our second mission of Linebacker 2. During the break, [from the previous mission] I made the mistake of asking the Ops. Officer for a mission to "downtown". The target we were assigned was the river docks right in the center of Hanoi. Most of the strikes had been coming in from the southeast, since this gave the crews a more direct route out of the area, and minimized their exposure to the defenses. We figured that they would be looking more closely at these southeast approaches, so we planned our run-in to the target from the north. After stabilizing in the TFR mode, we crossed into North Vietnam at 500

feet. The closer we got to Hanoi, the more we hugged the terrain. Our last leg before turning south was on the north side of Thud Ridge, which gave us complete masking from the air defense radars. When we came around the corner and turned south, we broke out of the weather. We were at three hundred feet, and there was broken overcast above, with a full moon showing through the breaks in the clouds. Hardly the ideal F-111 weather. Visibility under the overcast was unlimited, and we could see the lights of Hanoi in the distance. We picked up our final run-in heading at Duc Noi, about 10 miles due north of the target.

We started to pick up some AAA fire, mostly 37-57mm stuff, five miles before we got to the target. It was the typical stuff, coming up in clips of five, red and orange golf balls and, though there was a lot of it, it was all behind us since they didn't have us on radar and it was all directed at our sound. But, though they weren't coming close to us with their AAA, they were quite effectively tracing our path in the sky. They had developed the tactics of blasting away with small arms fire. . . straight up. . . along this path, in the hope of getting a lucky hit.

Our weapons system pickled off the twelve 500 pound Snakeyes as we roared over the docks at better than 550 miles an hour. With the F-111's sophisticated system, and a good radar offset we had gotten from the Doumer Bridge, there was never much doubt that we would hit the target, and we could see the docks exploding as we rolled off the target and headed for the turn point for our initial leg back to base. As soon as we looked back in the cockpit, we saw that we had a utility hydraulic failure light. We didn't think much of it at the time. . . we hadn't felt any hits on the airplane, and we had gotten one of these lights on a previous mission. It was more of a minor irritation than anything else. But less than a minute later, we got a right engine fire warning light. We went through the boldface procedures, shutting the engine down. I called Moonbeam, reporting that we were off the target and had lost an engine, and they acknowledged the call.

We had just reached the first set of foothills, and I had told Bob that we could start to climb, when I heard him say: "What the hell . . . !" I looked up from the radar to see him moving the control stick like he was operating a butter churn, and I saw that the entire warning-caution light panel was lit. There was no doubt about our next move, and with Bob's command, "Eject! Eject!", we fired the capsule rockets.

Everything worked as advertised, and it was a smooth ejection. When the parachutes opened, we were in the overcast, so we didn't see the airplane hit, but we did see the glow of the explosion, and when we broke out we could see the wreckage burning fiercely. We came down on the side of a hill, and the capsule rolled over onto my side. We both exited from Bob's side completely unhurt.

Within a couple days both men were captured, and more importantly returned during Homecoming operations. This confirmed the NSA "warm body count" analysis.

The Spooneybarger/Wilson loss time frame and location put them into the "warm body count" program. The Vietnamese were trying to appease Kissinger to get the bombings stopped and the Soviets had already fulfilled their intelligence requirement for the F-111 with prior crew captures and aircraft shipments, thus the Vietnamese political requirement took over. A picture appeared in the Vietnamese newspaper of the downed crew capsule the next day. Mooney, a Soviet military operations expert, says that, "The fact that film was taken of that aircraft for propaganda purposes means there was no Soviet involvement. The Soviets already had what they wanted by the Spooneybarger/Wilson incident, there was no high strategic interest by the Soviets. If they had been involved, they wouldn't have wanted anything to do with, or related to, publicity."

Robert Spooneybarger says that the Vietnamese interrogating him appeared to not know anything about any of the other F-111 incidents. Wilson said when he was being interrogated they spread out on a table all of the cockpit instruments and had him identify each one. Both Wilson and Spooneybarger said in their debriefing, and to this day, that their capsule received significant damage from the landing and rolling to the right front side. However, they didn't stop to do much checking, it was dark, and they were busy worrying about being captured. The fact that they expected significant damage becomes important 20 years later, with the discovery of an F-111 crew capsule in an aviation museum in Moscow, Russia.

Transfer of Technology

"There isn't any technology that we have that wasn't stolen, copied, or obtained by some other means."

A.Kurtz, Russian Academy of Sciences

MiG 23 "FLOGGER"

As in the case of the F-86 procurements of the Korean War, the Vietnam War was used by the Soviet Union to obtain the latest in military technology. It is apparent that the Soviets were interested in "swing-wing" technology having initiated a development program in the early 1960s for the MiG 23 "Flogger" (approximately the same time the F-111 program started). This was a swing-wing, single seat, all-weather interceptor with one Tumansky after-burning turbofan. Fully loaded at 33,000 pounds it was less than half the weight of the F-111. Maximum speed was achieved at Mach 1.1 at sea level, Mach 2.2 at altitude, with a combat radius of about 400 miles. Except for the weight, all the other specifications were comparable to the F-111. Believed to have taken its first flight in 1965, the first production aircraft was probably in 1970 with the first deliveries in 1971. Described in *The Encyclopedia of the World's Combat Aircraft*, Chartwell Books Inc., 1976:

Revealed at the 1967 Moscow Aviation Day, the prototype swing-wing MiG 23 was at first thought to be a Yakovlev design, though it appeared in company with a jet-lift STOL fighter having identical rear fuselage and tail and strong MiG 21-like features. Over the next four years the Mikoyan bureau greatly developed this aircraft, which originally owed something to the F-111 and Mirage G. By 1971 the radically different production versions, the 23S fighter and 23U trainer, were entering service in quantity, and by 1975 several hundred had been delivered to Warsaw Pact air forces and also to Egypt.

With several design specifications so similar to the F-111, and given the Soviet's propensity to steal technology, it seems likely that KGB and GRU intelligence target requirements included the early TFX (Tactical Fighter Experimental) program, as the F-111 was first called. Not able to get their hands on a complete model, they must have settled for incorporating the design elements into an aircraft model they were familiar with. All that changed though after the first F-111 Vietnam war losses in 1968.

Major renovations appear to have been made in the interim between the MiG 23's first showing and its final production versions. The time frame directly corresponds with the availability of the 1968 F-111 shoot-downs (two aircraft lost in 1968.) Not able to, or wanting to, scrap the whole project, the Mikoyan and Gurevich design bureau, simply updated this model already in production —much the same way alterations were made to the F-111 production program when problems cropped up. By 1971 however, a radically different production version was entering service. While the MiG 23 was a full fledged type aircraft, it was also a work in progress.

The Aviation Week & Space Technology magazine issue of March 18, 1974 announced the MiG 23U —the tandem two seat version of this model.

Air intakes resemble those of the McDonnell Douglas F-4 Phantom, rectangular in shape with large boundary-layer splitter plates on each side of the aircraft between the fuselage and the intakes. These, together with an extended cockpit canopy that flows smoothly into a high dorsal fairing on the top of the fuselage, give the entire front section of the two-place Flogger a strong resemblance to the F-4 from a point just forward of the wing roots to the tip of the nose.

A cross between an F-111 and an F-4, this version *looked* more like an F-4 but appears to have had F-111 flight control characteristics. Apparently the F-4 was also "studied" and applied to Soviet aircraft technology.

MiG 27 "FLOGGER" D/F

The first cosmetic similarities to the F-111 were noticeable with the MiG 27, first called the MiG 23B. This version had taken on the F-111 "Aardvark" -looking nose, which is longer with a taper that flattens out along the bottom. In describing the MiG 27, The Encyclopedia of the World's Combat Aircraft says:

Compared to the MiG 23 this attack version carries heavier loads and is simpler and optimized for low-level operation. The airframe differs in having a shallower nose with a flat pointed profile housing mapping / terrain-following radar, laser ranger, Doppler radar and radio altimeter, with good pilot view ahead and downward.

These changes not only provided a cosmetic similarity but also included many of the F-111 hallmark characteristics in instrumentation flying capabilities. While terrain following radar was not unique to the F-111 in the U.S. arsenal, it was the F-111 which worked out the bugs and was combat tested. Additionally, the Soviets seem to have appreciated the F-111's short or rough runway takeoff and landing capabilities. The MiG 27 model was fitted with large low pressure tires and special provisions for rough field operation, just like the F-111. While the

improvements for this MiG model were probably started immediately after obtaining the '68 F-111s, full development appears to have been stalled until after the 1972 F-111s arrived (six aircraft lost in 1972.) Prototypes were believed to have been flown in 1970, but production was not realized until 1974, with other countries not receiving export models until as late as 1977.

Su-19 (24) "FENCER"

The Sukhoi aircraft design bureau apparently also benefited from the acquisition of U.S. F-111s. In 1970 the first flight of a prototype Su-19 took place, this was no hybrid aircraft. What a shock it must have been to the U.S. Pentagon generals to see this F-111 look-alike in the Soviet arsenal. Jane's All Aircraft of the World described the initial reaction:

This variable-geometry attack aircraft was identified as a major new operational type by Admiral Thomas H. Moorer, Chairman of the U.S. Joint Chiefs of Staff, in early 1974, when he described it as "the first modern Soviet fighter to be developed specifically as a fighter-bomber for the ground attack mission." Designated Su-19 in the Soviet Union, it is in the same class as the USAF's F-111.

The afore mentioned Encyclopedia of the World's Combat Aircraft describes the plane as follows:

Like the rival but much smaller MiG-27, the Su-19 is an extremely clean machine strongly reminiscent of the F-111 and Mirage G, having side-by-side seats and wing and tail plane at the same level, as in the U.S. machine, yet following the French aircraft in general layout.

Reports Janes All Aircraft of the World:

This initial model was in squadron service by December 1974, by the spring of 1979 at least 250 were serving with first-line squadrons in the European theatre.

Su-24 "FENCER"

Appearing in Spring of 1983 as the Su-24, essentially the same aircraft, Janes All Aircraft of the World book describes the additional insight on this machine:

Although smaller and lighter than its USAF counterpart, the F-111, the variable geometry Su-24 brought entirely new capability to Soviet Frontal Aviation. Lt. General Donald R. Keith, former U.S. Army Deputy Chief of Staff for Research, Development and Acquisition, said that 'Fencer' is credited with having terrain avoidance radar, in addition to nav/attack radar, and "has the capability to deliver ordnance in all weather within 55m (180 ft) of its target". The radar dish appears to have a diameter of at least 1.25m (49in), and is reported to be of the pulse-Doppler type. Equipment includes a laser rangefinder and marked target seeker.

With the later development and uncanny similarity to the F-111, it appears that the Sukhoi

Design Bureau got the last but possibly the best opportunity to copy Western technology in this area. In October 1992, an F-111 crew-capsule ejection module was discovered in an aircraft museum in Moscow, Russia. The Russians explained that some months earlier it had come from the Sukhoi company where it had been studied over the years. No explanation was given as to how it got there or what had happened to the crew piloting the aircraft it came from.

F-111 Crew Capsule in Moscow

The most significant evidence coming from Russia is not in the form of intelligence files or witness testimony. It was revealed in late 1992 that a crew-capsule ejection module from an F-111 was on display in the Moscow Aviation Museum, Russia. This verifies the intense Soviet interest to gain technological advances —supplied to them by their No. Vietnamese comrades during the war. It also reiterates the method used by the Soviets to acquire F-86s during the Korean war.

The tail number stenciled to the crew capsule was clearly legible except for the final digit, which was obscured by a screw hole. The recognizable numbers indicated that the capsule could belong to one of only two aircraft. #67-063 would be the Brown/Morrissey aircraft and incident, while #67-068 would be the Wilson/Spooneybarger aircraft and incident. The Brown/Morrissey incident is the only one where an F-111 "hulk" is reported in available intercepted No. Vietnamese messages to be transported. Thus, if the Moscow F-111 crew capsule belongs to a crew other than Brown/Morrissey, then it is possible that the transshipment of the Brown/Morrissey crew capsule was also successful. What is significant about the Wilson/Spooneybarger incident is that they were captured and returned home at the end of the war. Their crew capsule was photographed and in the Hanoi papers after their capture. While it may be less dangerous politically to admit to taking THAT crew capsule, it doesn't mean that by doing so other possible transshipments can be eliminated. In fact, it increases the likelihood that others were also taken —if they admit to doing it once, how many more times before that did they get away with it?

The existence of the crew capsule leaked out through the POW/MIA community and was followed by newspaper articles and a request by Senator Bob Smith for a thorough explanation. After this, the DoD decided to make an announcement. It was found out that the DoD had known about the crew capsule for several months prior. Coincidentally, at this time of DoD awareness of this F-111 capsule, I traveled to Moscow in an attempt to find out more information about my father's case. I had no knowledge of the Moscow crew capsule at that time. Inexplicably, the DoD representatives I had been meeting with in Moscow (who had been shown the crew capsule in the aviation museum) failed to mention its existence to me. This, while knowing full well that my father flew an F-111. I was only a few hundred feet away from taking a first hand look at this F-111 capsule but missed the opportunity due to DoD discretion. Instead I have had to perform my investigation in this area from pictures provided me by the DIA, U.S. Senate, and an independent film producer (which includes video footage).

Initial attempts to identify the crew capsule are suspect. Immediately after it was discovered by the public-at-large that the capsule existed, the DoD asserted that it was associated the Wilson/Spooneybarger case. This was announced prior to any formal, organized investiga-

tive effort. The Moscow crew capsule was in good structural condition with no evidence of damage to the outer skin panels or supporting frame. This flies in the face of POW debriefing testimony of both Wilson and Spoonybarger, both of which have maintained their assertion (in recent interviews with me) that their capsule was damaged on impact by a severe lunge rolling the capsule onto its right side. The escaping crew members had to climb out of the left side hatch.

Additionally, I did a comparative analysis with another crew capsule that was photographed by a Vietnamese cinematographer shortly after its capture which has identical placement of stenciled bomb markings and has an identical tail number including the screw hole obstruction. The comparison shows up something odd which helps in identifying which aircraft both of these crew capsules came from. While the placement is the same, the stenciled bomb markings themselves are different. This is interesting because the bomb markings appear to have GAINED paint over the years, with scratches disappearing altogether or in one direction, and showing up in another direction on a different part of the same bomb stencil! If this is the same crew capsule, then the Soviets or someone else was busy painting and scratching these stenciled bombs over the past 20 years. If the two capsules are different (still having the same tail number with the last digit obscured) then one must belong to Brown/Morrissey and one to Wilson/Spoonybarger—they both had ejected! The one displayed in Moscow would cause quite a stir if it proved to be from the Brown/Morrissey incident (aircrew listed as MIA) and not Wilson/Spoonybarger (returned POWs). All of the photographs indicate an equal appearance in paint fading due to the time factor, no recent alterations seem to have been made—all except in one area discussed next.

To positively identify the Moscow crew capsule, the DoD sent an FBI team to Moscow to investigate. This team came up with irrefutable evidence that the capsule belonged to the Wilson/Spoonybarger incident. What is distressing about their method though is that it doesn't inspire confidence in their conclusions. I was presented copies of stencils that the FBI used to "compare" with the tail number on the crew capsule. These showed several different numbers which were being considered for possible match. In the accompanying report it is stated that the "063" possibility was discarded immediately because the three had a diagonal division in the stencil and the crew capsule had only vertical divisions. Upon reading this I wondered if that style of three was the only one used by the Air Force. A quick trip down to the airfield museum at March AFB was very revealing. There, on many different types of aircraft from the Vietnam war era (including an FB-111) were "3"s with diagonal or vertical divisions in the stencils. A retired SAC crew chief visiting the museum told me that the variance in style of "3" depended on where the aircraft was painted and that different Phase Maintenance locations used different style stencils contemporaneous with each other. So the style "3" in the stencil used by the FBI to rule out *immediately* the Brown Morrissey possibility could be incorrect, and should not have been the basis for making such a hasty, conclusive, decision.

The next questionable method came up when aircraft manufacturer serial numbers were "discovered" in the interior of the crew capsule. Under a coat of thick, sticky, grey (sound-deadening material?) located under the interior panels, appeared clearly painted numbers reportedly indicating the aircraft manufacturer's (General Dynamics) serial number. These hand painted numbers somehow survived the scraping and/or chemical removal of the thick, sticky, grey material. Further, what is unusual is that the crew capsule manufacturer, McDonnell-Douglas, labels on either side of the painted numbers apparently did not fare as well under the

removal process. These appear to be metal foil-type labels with preprinted lettering. The one on the left is relatively clear with some scratching around the edges and at the top which appears to go through to the metal underneath. Most of the lettering is clearly readable, however only a manufacturer part number is printed in its appropriate location, the other spaces (such as manufacturer serial number) are blank. The label to the right is almost completely destroyed. It is discolored a burnt brownish-yellow, with most of the existing foil peeled and wrinkled up. It looks as if some sort of corrosive was used to remove the grey material and it ate through to the label. From what is available, it looks as though it is a similar label as the one to the left. However, this one has remnants of embossed lettering where filled-in information would go. While the other label may have been one routinely installed, the second one appears to have had specific information pertinent to that particular crew capsule. The hand-painted numbers (which almost look like grease pencil marks, but that would be too ridiculous to have survived the removal process) are white on the dark greenish-blue background. They appear to be in good condition and clearly readable with the slight exception of the "F111A" letters which have a thin blank swipe through the middle of the "F" and "111." This is horizontal about midway from the bottom of the letters, revealing the background dark paint. The reason I point this out is that all the other scratches observed show up as white lines cutting through the dark paint apparently to the metal underneath. This swipe (without any white line—which would indicate a deeper scratch) would seem to show the fragile nature of these letters and thus would confound the evidence. If misdirected pressure of an amount less than what caused the deeper scratches was applied in this "hand painted" area and it removed some of the paint, how did the rest of the painted numbers survive so clearly? Since the painted numbers are so close in color to the grey matter which was being removed, how is it that more of these numbers were not "accidentally" altered. How did these seemingly fragile hand-painted (or grease pencil?) numbers and letters survive a removal process which all but obliterated one foil label and scratched the other through to the metal. Is it possible that they were painted by someone after the grey material was removed and then altered, in an attempt to give it a look of authenticity with the surrounding scratches?

Nevertheless, the official statement by the DoD on this matter is that these hand-painted numbers correspond to the General Dynamics' manufacturer serial number for the plane flown by Wilson/Spooneybarger. The fact that McDonnell - Douglas manufactured the crew capsules—not General Dynamics—appears to be irrelevant, or is the fact that these crew capsules were built and intended to be interchangeable with other F-111As. Even if General Dynamics put their serial number on a McDonnell - Douglas component, could it be possible that during a phase maintenance or a cannibalizing process the crew capsules were switched? Curiously, the Brown/Morrissey aircraft, tail #67-063 was a "can-bird" for the 90 days prior to its final mission. I have been unable to determine if any such switch occurred at that time or any time previously.

All of these questions add up to a realization of the fact that we can't be confident that we will be given the truth when it comes to our missing men and present day U.S.G. investigations. It may be correct that this crew capsule is the Wilson/Spooneybarger one, however, if anyone could make alterations and/or misstatements to hide a significant find concerning an unresolved POW/MLA case, both the DoD and Russians had ample opportunity and motive.

"Conceal the Accomplishment"

In the summer of 1992, unknown to POW/MIA families, activists, and the general public, a technical report was delivered to the Senate Select Committee on POW/MIA Affairs from the National Security Agency (NSA). The report titled: TECHNICAL REPORT 002-92 CORRELATION STUDY - POW/MIA 21 AUGUST 1992, included initial intelligence information based on NSA assets including: "field site reporting, [] end product and summary reporting, US forces summaries introduced into [] reporting channels, and [] reporting," and concerned Vietnam war incidents which correlated to missing in action cases. [redacted]

What is surprising about its existence, is that the S.S.C.'s final report did not mention the NSA study. The S.S.C. had stated in their final report that they did not receive any information which would corroborate assertions by Jerry Mooney, a former NSA analyst: that men who were listed as MIA were known by NSA to be alive and in enemy hands. With the revelation of Technical Report 002-92, it is apparent the S.S.C. was lying.

What is striking about the NSA report is that it clearly indicates men were alive after their incidents, captured by the North Vietnamese, and even taken to the former Soviet Union. One such case is that of Jon M. Sweeny a marine who was lost in February 1969 in South Vietnam. The message reads: 312042z Jul 70 "Soviet correspondents relay greetings from American POW in Moscow 'John'." Additional incidents such as those concerning Borah and Bosiljevac have intelligence reports saying they were captured. In taking a look at the F-111 cases, there is information in the report which indicates post incident survival, capture, and possible transshipment.

This NSA technical report lists each case by name, incident date, and aircraft type. There are many "holes" where names, aircraft, or other sited information is sanitized out. Additionally, while there may be a list of many intelligence reports sited, only an average of one or two reports are displayed (although redacted) for the reader to see. To be able to get all of the information you would have to F.O.I.A. request the rest of the reports. So what is included in the report is already a subset of the report's potential.

I received a copy of the report after I had completed this F-111 case study, and so I include the information relevant to the F-111 cases here in addendum. It should be noted that what is present in the NSA report is surely only a minute amount of the data that ultimately is available on these aircraft loss incidents. Each F-111 loss generated reams of documents. NSA has only "found" a few for the benefit of the S.S.C. The Combat Watch Officer and Post Fire Reports referred to by Mooney were not included in the NSA report.

Graham / MacCann: There is one listed report (300937z Mar 68) for this incident which says: "F-111 shot down by air defense units in probable Quang Dinh Province, no reference to exact locale or crew status given." —Mooney and Minarcin list this aircrew as captured and transported.

Cooley / Palmgren: No listing or record of the incident in the report. —Mooney and Minarcin list this aircrew as captured.

Brett / Coltman: There is one listed report (290745z Sep 72) for this incident which says:

"Aircraft shot down by SAMs from a site within 5nm radial of 2007N 10544E. Crash site 70km from this location on azimuth of 250 degrees. No reflections of aircrew status. —Mooney and Minarcin list this aircrew as captured.

Hockridge / Graham: There are three reports sited: 180559z Oct 72, 171120z Oct 72, 190610z Oct 72. Only two partial reports are displayed which say:

[] unit has carried two large sections of the aircraft's wings up to the unit. The aircraft flew out of the east. At 1300G, the aircraft dove at the wooden bridge from km 2 inward. [] aircraft which burst into flames. The aircraft flew eastward and the pilot bailed out in the direction of Quynh Hau Yuynh Kim. The aircraft went down at sea about 3 kilometers from shore.

[] enemy to come [] rescue the [] American.

—Mooney and Minarcin list this aircrew as KIA. This is the incident where radioed pictures were sent to the U.S. side from the N. Vietnamese showing the airmen dead in their seats. I have not seen the picture(s) and cannot say if the crew capsule had separated from the hulk of the plane (which would coincide with the reports of a ejection and units sent to "rescue" the crew).

Brown / Morrissey: There are four reports sited: 120715z Nov 72, 091220z Nov 72, 141910z Nov 72, 140549z Nov 72. All four appear to be listed although redacted:

The 250th AAA Regt. . . from the 7th to the 10th of November, the military and civilians of Thanh Hoa and Quang Binh [] shot down one F-111 on the spot.

An NVA unit in Quang Binh province shot down one aircraft on the night of 7 November. It was thought to be an F-111. A search effort to locate the plane was underway.

A special team was [] to oversee the transport of the hulk of an F-111 that had been shot down. The mission was to be accomplished in secrecy.

(vic. of 1655N 10657E [] . . . at 1200 hours on 7 November, [] workers shot down a low flying F-4, shot down the aircraft [] and captured alive the pilot. Conceal the accomplishment.

—Mooney and Minarcin list this aircrew as captured and transported. I have these reports with more detail included, but the essential elements are here. Additionally, I have more reports concerning the shoot down and transportation of the hulk of the aircraft.

Stafford / Caffarelli: There are five reports sited for this incident: 222000z Nov 72, 222114z Nov 72, 212110z Nov 72, 212125z Nov 72, 220115z Nov 72. Only three are presented.

250th AAA Regiment [] shootdown [] an aircraft in the Quang Tri area by firing a 'rocket' (possible SA-7).

[] at either 1745N 10617E or 1745N 10645E. The Vietnamese initiated search activities for the downed aircrew at possible 1647N 10650E. No further reflections of aircrew

status []...it is possible that the [] pilots parachuted near highpoint 310 (poss. 1647N 10650E) at Nui Vo. Efforts to attempt the capture of the pilots were ordered.

Unid element at Thanh Hoa reports an aircraft shot down southeast of the city, with the pilot being rescued at sea.

—Mooney and Minarcin list this aircrew as uncertain, but probably KIA.

McElvain / Ward: There are nine reports sited: 211542z Dec 72, 181815z Dec 72, 181820z Dec 72, 190113z Dec 72, 190335z Dec 72, 210610z Dec 72, 220457z Dec 72, 271531z Dec 72, 221755z Dec 72. Only four are presented, which say:

At 1748z, 18 Dec 72, an unidentified Battalion of the 238th SAM Regiment (in the Hanoi area) [] had shot down one aircraft.

At 1752z, 18 Dec 72, an unidentified Battalion of the 264th SAM Regiment (in the Hanoi area) [] saw one aircraft burst into flames.

One pilot captured at the AAA unit to the west of the 264th SAM Regiment (located to the southwest of Hanoi). [] 1910G, four aircraft were shot down and possibly two F-4 pilots were captured. . . 2000G one B-52 shot down near Phu Tho, two of the crew were dead and three were captured. . . Thus far five pilots had been captured.

Numerous references to individual aircrew members captured. No specific reference to type of aircraft flown. Cannot determine [] F-111 [] No specific crew status reflected.

—Mooney and Minarcin list this aircrew as probable KIA.

Mr. DORNAN. David, if you can, read your son's letter.

Mr. MORRISSEY. I will try.

Mr. DORNAN. Well, if you remember Rabin's daughter at his funeral, I learned something watching that 17 year old. You just stop and you take a big deep breath, and then you just press on.

Mr. MORRISSEY. When you talk to your grandpa, what do you do? Do you go next door, take a ride in a car, ride a bike, talk on the phone, take a jet, whatever?

I have to go to the wall in Washington, DC, to visit my grandpa. Deep breath.

From 1959 until 1975, America fought in a war against North Vietnam and 58,000 Americans did not come home alive. One of those 58,000 was my grandpa.

My grandfather went to Vietnam three times during the war. He was given over 50 awards, most of them for flying. One was the Purple Heart. He flew the F-111, a very advanced jet, and was shot down on a cloudy night, November 7, 1972.

Those of you that have a grandpa, you don't know how lucky you are. Even if you have a grandpa and you don't get to be with him very often, at least you have one. Even though I have seen a few pictures of him, I wish I knew what he—I wish I knew what he looked like in real life. I wish he was alive. I wish he didn't want to be in the Air Force. I wish I knew what his best subject was in school. I have always dreamed of going fishing with him. Now I wish that there would be no more wars, so other children could get to know their grandparents and not lose them. Matthew David Morrissey.

Mr. DORNAN. David, your father would have liked the term "Sierra Hotel." You know what that means?

Mr. MORRISSEY. No.

Mr. DORNAN. David Hrdlicka was Sierra Hotel. It is a reversal of a high school term—

Mr. MORRISSEY. I think I figured it out.

Mr. DORNAN [continuing]. That I heard when somebody thought they were hot, the "S" word. And at Danang, with the 366th gun-fighters, somebody looked at me and said, Are you Bob Dornan? My wife is back at George Air Force Base; she says you have a television program and you are "SH," reverse them. I said no, no, I support you over here, the term we heard all last night in the debate. I said no, no, I support you. He said no, that is a good term. Kind of like the first time somebody Jewish called me a mensch. I thought, well, why would you say that? I am trying to help you. He said, no, it is a good word.

Your dad, I am sure, was Sierra Hotel, as I know David was. And I thought I was Sierra Hotel in peacetime. But other people before me and after me, like your dad, fought for my freedom, and my freedom of speech, and my ability to chair a committee.

General Wold, over here, like your dad, bought me my freedom. He has got 14 grandkids. I have 10. I trust him. I want you to get together with him, and make sure, which I know he will do, he gives you everything you want to your satisfaction, every question, everything. And he will make your dad's case a special case, going to Hanoi next month.

I can't speak for the other two gentlemen. I haven't gotten to know them or work with them, as limited as I have been able to work with General Wold. But he was a SAR, a rescue pilot, capping these helicopters down in the weeds. He will help you.

Mr. Pickett, do you have any questions?

Mr. PICKETT. Mr. Chairman, thank you. I want to thank our witnesses today. They have all done a really great job.

Mr. Bell, I remember you from your testimony before the committee before, and I thank you very much for what you have given us. And the family members, I know what you have been through, and we certainly want to try to be as helpful as we can in resolving the matters that you still feel need to be resolved. And I don't know that there is any good way to try to get it done, except to make sure that the doubts that have been created in your mind hopefully can be resolved by good hard facts that you find acceptable. And we will certainly do our very best to work to get that done.

I don't know that I have any unanswered questions, because I have read the material that you have each submitted, and I followed along as you have spoken it. So I don't know that I have any questions to ask, but we certainly want to do our part to resolve any doubts that you have about the issues that you have raised in your testimony.

Mr. DORNAN. Thanks, Mr. Pickett.

Let me come back to Mr. Bell. On the Borah case, my staffer tells me that you worked on that case a little bit.

Mr. BELL. Yes, sir.

Mr. DORNAN. What can you tell us?

Mr. BELL. The only thing that I recall that I haven't heard mentioned and didn't see in the review was that there was one report of a, I think it was a South Vietnamese military man who was arrested and held in a prison out on the border, an old French prison called LeBou, in that same general area. And he did not see an American held in the prison, but there was a headstone that said that a lieutenant USN. And I don't know if that report was ever investigated or not, but that was at an actual prison.

Mr. DORNAN. A headstone? Where?

Mr. BELL. At LeBou prison, in the prison cemetery.

Mr. DORNAN. Where is LeBou, roughly?

Mr. BELL. It is on the Lao-Vietnam border, Quang Tri Province.

Mr. DORNAN. Way out in the west and the south?

Mr. BELL. West.

Mr. DORNAN. Right.

Mr. BELL. Right along Highway 9.

Mr. DORNAN. Can anybody just quickly, by a nod of the head, indicate from our analysts to come up in the next panel, did anybody investigate the story, know about it, U.S. Navy, USN gravestone? OK.

So you just recorded it and sent it home?

Mr. BELL. I just recall—

Mr. DORNAN. Or did you send your information down to Stoney Beach in Bangkok?

Mr. BELL. We had a source that, had that account, who was held in that prison. I don't know if it was ever investigated. I know that

the JTF was aware of it. I don't know of the outcome, if anybody went out there to check it out or not.

Mr. DORNAN. Right. We will check that, too. Was there—did you ever come to a decision about whether, and this lends to a lot of conspiracy theories, about whether there was ever a secondary prison system?

Mr. BELL. I don't know of a secondary prison system per se, but there was a system of security or intelligence and security camps under the public security, which was separate from the military system.

Mr. DORNAN. Yes. Most of the men came back from Vietnam, and my colleague, Pete Peterson, still believes that they pretty much knew everything. However, interestingly enough—and I think you have functioned as a translator for Congressman Pete Peterson; did you not?

Mr. BELL. Right.

Mr. DORNAN. That in his debrief, I don't know how I found this out, someone called me at home and said, oh, and I was his debriefing officer. What is the analyst's name, that I mixed up with the other guy? Oh, Destatte, Destatte, that he was his briefing officer, and said that Pete Peterson told him when he came back, this is the reverse on my squadron commander, Robbie Riser, and others, absolutely we left people behind. He is involved in saying no, we probably didn't. But Robbie Riser and a lot of others came home, said we knew everybody in the system, nobody was left behind. Now Brig. Gen. Robbie Riser says absolutely we left people behind. The first testimony I had as Chairman was, give me his name, the camp commander of plantation, Ted Guy, Col. Ted Guy came home, said nobody was left behind alive. Now he believes, yes, they were behind alive. When I asked McCain about Ted Guy, he says, oh, he is saying some crazy things now. No, he didn't say one crazy thing here when he testified. He said very thoughtful and thorough things, so it shows you how attitudes change or what perceptions are.

But the Lao-Vietnamese border was always fascinating to me because of the Vietnamese cultural belief that to say something was so, they had to make it partially so. In other words, how they play that game when you first got over there, nobody is under our control against their will, well, right away that makes you say, well, do you have people here that want to be here?

Salt and pepper, the other guy that dragged three or four armored personnel vehicles, chained them together and dragged them out of a Danang compound right over to the other side, a very enterprising traitor and defector. Have you ever felt that there was immediately adjacent a prison, one prison or multiple small prisons, just inside the Laos border from Vietnam?

Mr. BELL. I know of temporary prisons during the war that were in Kham Keut and places along the border where Americans were moved to. Some of them surfaced again and some of them were never heard from again. But I don't know of any long-time stationary prisons.

LeBou, like I say, was an old French prison, but that was back in the 1950's. And it was pretty well abandoned after that. It is a big stone fort. It was used by the people working in the area as

a border checkpoint back during our presence during the war. But I don't know of any prison just inside of Laos except for those temporary prisons that were on the evacuation route. The last time that we had people in those prisons, as far as I know, were people that were captured in like 1974, and moved up to that area.

Mr. DORNAN. 1974 or 1964?

Mr. BELL. 1974, captured in Laos, but moved up into Laos right inside the Vietnam border.

Mr. DORNAN. Right.

Carol, as a friend, I read your statement, followed along with you. It can be described as angry, bitter, sternly written. Do you think there is anything your government and the people who work on this issue, do you think there is anything they can do to bring you some relief and make up for any omissions in the past?

Ms. HRDLICKA. Do an honest investigation. And I said before, if the DIA and the DPMO people would include us in the investigations, then we could all sit down and we could resolve some of these things. But they don't do it. They treat us like little kids that don't have the right to know. They lie to you and they make outlandish statements that anybody with a logical mind can see cannot be. They put things in files that don't belong there and then they try to tell you how it really does belong there when you see it can't.

Mr. DORNAN. See, I could write off that last one as just bureaucratic mistakes from overload, but so much time has gone by now and there is so much money being spent on the issue, and the Congress is so gracious about the unlimited amount of money we are going to spend, that—and are spending, that I just can't believe, and I have said it, Warren and General Wold and others have heard me say it before, Nixon had this Steve Canyon handsome type Air Force officer that was one of his senior military aides, the top of the military pecking order of people assigned to a President, and it wasn't about you, it was Carol Hanson and the wives I have taken around the world on the first trip, and he said, talking to me as some lowly lieutenant reservist, I think I was still a lieutenant then, he said, you just keep doing what you are doing, bring these people to me, and my job for the boss, meaning Nixon, is to pat them on the head and send them on their way.

That triggered right in my mind when you said treated like children. And I have never understood, given the expertise that was developed early on in the families, why this—why this persists, if this is either fair or an unfair feeling in the families.

I remember the State Department used to send a man named Frank Seavers, didn't look very military, he looked 1970's, half hippy, but he would come at all the family meetings, sit in on every meeting and carry back whatever we were doing or planning to put pressure on the Vietnamese. The war was still going on; he would carry it back to the State Department. Years later I found out he was Michael Dukakis' roommate at Swarthmore. So he had that little connection to the campaign, and he had Dukakis making promises that he would resolve the MIA issue if he got elected in 1988, which Bush did.

Obviously, with Bob Dornan being Bush's No. 1 surrogate speaker around the Nation, I was saying, can you try and do a better

job since you were head of the CIA in 1976, a key year, can you do a better job than Bill Casey did under Reagan? And what happened was, President Bush kind of went along with the team that in the end ended up with that horrible day where he said, shut up and sit down. And Clinton, being a very astute political animal, just grabbed that torch, made promises to these families, and off and running we were for the last 3 years.

So I don't understand, unless we can accomplish this on my watch, to try and get everybody together at these very expensive offices in Crystal City, with all the big locks on the door where it is all secure, and get the families cleared, colonel, to go in there and sit down at your briefing tables with you and go over these analyst reports, and we will hear from them in a minute, and see if we can do this.

I don't know what we can do about your brother, Kathy, because of all the pain your family has already suffered with these phoney photographs and this jerk in prison in East Germany. I thought they did a pretty good investigative case running that down. They certainly solved it for me, the picture of the four men that were supposed to be prisoners; and it came right out of a Russian magazine or Ukrainian magazine in the Cambodian library, that they went right in, took it out, doctored it.

And then I had a handsome young man whose parents were married in Westwood, at St. Paul's Church, literally driveway to driveway across where I was rooming there when they got married there. It was the Robinson case and David Hrdlicka was working with—Congressman Hrdlicka was working with them and developed an interest for a year or so in this. And that young handsome 35-year-old Los Angeles lawyer was convinced that was his dad in that photograph. And when we found the proof that it was a doctored Ukrainian photograph, it was so painful for him to accept that, because it had become his father.

I just hope that there is some way to get the families now, when they come back from this trip, with General Wold; Winston Lord, who has a lot of other things on his mind and I had the distinct feeling today, you can tell him this the next time you see him, General Wold, that he did not enjoy being here or listening to my stories or my 30-year background on this, and that he has a distinctly different view of what we can accomplish in Vietnam.

No elections, treat them differently than Castro, press ahead with them, and of all people who end up healing the wounds of the Vietnam war, the triple draft dodger who insults every family by not including Vietnam. Am I imagining something or did any of the three of you hear Clinton's speech on Bosnia two nights ago, Monday? If you heard it, and he mentioned a series of countries where we have suffered and put out American treasure and lives, and Vietnam was not there, would you have picked up on that? Hit me in the kisser just like a pie. I couldn't believe it.

Anything else the witnesses would like to add? And if I can, I will try and set up a trip there, but I have got a hot Bosnian ongoing problem now before we get MIAs, but I will try and get a trip together with Mr. Bell, probably Al Santoli, myself, maybe a Democrat Member—maybe Bob Smith is ready to go back a sixth time,

I don't know. But anything you want to say in closing before we hear from our analysts?

Mr. HRDLICKA. I would leave you with one thought. Just think back to 1973. If DIA had come to me and said, "Gosh, Carol, we can't get David out but we will help you do it, we'll back you," but is that what they did? They immediately set into motion to kill those men off the day President Nixon said they are all dead.

The only other request I would make is, when you get that document redacted, I would like the intelligence before and the relating, all the relating documents, with it.

Mr. DORNAN. Now General Wold has sent up a message that he is not able to—he doesn't have the ability, grade level, to declassify that. But he can get it for me as a member of the Intelligence Committee or just some old top secret to a Congressman, and then I'll take a look at it.

Because of its age—that is what is so frustrating to me, 22 years old—because of its age, see, if I as a Congressman can start a process after I have already seen it and assure you as a friend that David was mentioned in passing, as they say, to see if we can't get it. But then it is not the only document, there are all sorts of document.

I went up to NSA the other day for my first visit in years and years, was so highly impressed with our ability to listen all around the world like no other nation in history, including Bosnia, which gives me a terrifying feeling about traps being set for our men. But the whole Defense Department is very uptight, starting with the mortaring of the Holiday Inn, which I stayed in in 1991, in the center of Sarajevo.

I will try to do everything I can. You are selected cases, based on Al Santoli's judgment, to try and show General Wold and his team what could happen with every family if we sent them the entire file, which I guess is going to be done some day, and then with their single focus of their loved one over 30, 25, 20 years, saying, "Well, where is this?" and, "Why is that in there?" and, "I thought we corrected this." And I thought I had all this solved. I was then chairman of the task force for only 2 years, 1981, 1982.

General maybe Admiral—Tuttle—Tuttle assured me he was going to lead a raid, helicopter raid, right into Laos, flying across the narrow part of the south, North Vietnam, and that all fell apart. And then I got Eugene Tide, as I told General Wold, to bring me boxes and boxes of uncorrelated material, and we released it to the families, and all it did was seem to drive more conspiracy theories.

And I don't know if turning over the raw data was right or if it should have been collated first and figured out by time period, but there is just still a frustration when new documents are found at this late date. It is very, very hurtful. And life goes on, and I can imagine the pain you would suffer if you were all swept aside and most-favored-nation status was voted on.

Actually, that has to take place in the House and the Senate. I don't know what is going to happen with our language in the appropriations bill—no more money nor building a new embassy in Hanoi, which I am sure upsets people in the State Department. But that is life.

We are going to get these questions answered, and we have a freshman class that is different than most classes. They came here as young political revolutionaries. Seventy out of seventy-three of them voted with me last night to put a marker down in the ground about Bosnia, which is only one issue, ground forces, in harm's way, not air power, sea power, air lift, sea lift, intelligence, food, fuel, logistics, hospitals, and intel.

That is a big effort by America to help our European friends in a non-NATO country with the feeling that NATO is looking for a mission.

So I am busy on a lot of fronts. We are going to get this solved, and I am telling you, General Wold is going to help us do it.

Thank you, everybody.

Mr. DORNAN. Next panel. If the witnesses will come forward, I will swear you in.

General Wold, you have been patient. You have had flight missions longer than this, I guess. You will come back.

James W. Wold, Assistant Secretary of Defense, POW/MIA Affairs. With him is the Chief of Intelligence for the Joint Task Force Full Accounting, Comd. Charles R. Marineau, Jr.

Accompanying them, if we have any questions for them, Warren Gray, senior analyst, back again; Gary Sydow, senior analyst, back again.

Accompanying Commander Marineau is his deputy, Deputy Chief of Intelligence, Mr. Raymond J. Spock.

Raise your right hand. Thank you for understanding why we do this. You are all honorable men; I know it is not necessary.

[Witnesses sworn.]

Mr. DORNAN. General Wold, you had a statement that is separate from and different from the one this morning? Please proceed, sir.

STATEMENT OF JAMES W. WOLD, ASSISTANT SECRETARY OF DEFENSE, POW/MIA AFFAIRS, ACCOMPANIED BY GARY SYDOW, ANALYST; AND WARREN GRAY, ANALYST

Mr. WOLD. I'd like to say at the beginning—and I will try to make this brief because Commander Marineau has a statement and I know there are questions of the analysts, but I certainly respect the families who have—those who have testified today, those family members in those three cases. I respect them for their knowledge of their cases, their diligence over the years. I don't view them in any sense of the word as children who we pat on the head and send on their way. We do in fact sit down with family members. We have a family room for that purpose where we review the cases. We are more than pleased to do that at any time when we can, at a time that is mutually convenient for them as well as us, and go into the details of the case, which I think has been suggested here.

The Congressman referred to the NSC document, and it is true, I don't have the authority—the document isn't mine to declassify. Any DOD document, any DPMO classified document, I can have reviewed for declassification, but an outside agency such as NSC—National Security Council—CIA, they own those documents, and it is not for me to tell—to order them, to task them, to direct them.

I think in the matter at hand we may have a solution. Last week—I first became aware of this document in Minneapolis in September 1994; Mrs. Hrdlicka showed it to me. I agreed that a document that is all blacked out is wholly useless.

I don't think I said it was useless to me. It was helpful in showing me the kind of information that the families often get when they request documents. And I'm fully cognizant of the frustration and the problem in that regard, and we are working with scores of families in that regard—Korean war families, cold war families, as well as Southeast Asian families, to try to resolve that particular problem.

And last week I provided you with the information as to the location of the document, the font, and so forth, over at the NSC; and I will make myself available at any time convenient to you, together with my analysts, as you may wish to review that document further.

I did in the meantime some months back send a naval officer over to the National Security Council to review it because we couldn't obtain it. It was reviewed, and the naval officer determined that there was nothing in the document that referred to David Hrdlicka's case. I did provide that information to Mrs. Hrdlicka in a separate response.

Comment concerning Mrs. Duane——

Mr. DORNAN. General, may I interrupt just 1 second. As you sit here, third time I'll use the word "dutifully," listening to the story of the wife of a fellow Air Force officer, I know you identify with the problem that may have been—when did you first go to Vietnam as a combat pilot?

Mr. WOLD. 1969.

Mr. DORNAN. Now 4 years before this happened, before you went over there, didn't you hear a story about a brigadier general knocking on somebody's home door in Colorado saying "I don't know why I'm here but they said it was really important so they sent a general officer over." That is strange. That is hurtful, that we weren't prepared to do this more smoothly when this happened.

And you can see, given the bursts and spurts with the way some of this information came out and being on the Intelligence Committee, I'm well aware of how people always err on the side of overclassification and being uptight about intelligence information, but even though you may not agree with the final characterization and how your team is working now, you understand, with the months you have worked on this—and it is what?—2 years now. A year even on the job——

Mr. WOLD. About 20 months.

Mr. DORNAN. About 20 months. You can understand how some of these families have been through hell.

Mr. WOLD. Sure.

Mr. DORNAN. Given the peculiarities of the Vietnam war compounded by our first no-win war fought to a draw—not fought to a draw, giving them a draw in Korea—that wrecked a man who has been revisited by historians and turns out to be a pretty solid American, Harry Truman. I don't think LBJ will ever be resurrected the same way. Oliver Stone has demonized Nixon.

I have a staffer that sits behind me over here in this corner, not this lady but another one who is Nixon's niece, and occasionally I looked out the corner of my eye when I was rough on him to make sure she wasn't there a little while ago.

The families get hammered when I mentioned about Clinton not mentioning Vietnam. Probably some political advisor said take that out, it backfires on you, it recalls Colonel Holme, your experience when you weren't supporting the troops, you found them loathsome; all these things stay raw and alive with the family members.

So as you sit there and when you were in Vietnam you were what, a major?

Mr. WOLD. I was a lieutenant colonel.

Mr. DORNAN. Well, by that time David had been promoted right up cycle and was either a major or a lieutenant colonel. Let me ask his son: By 1969 would he have been a colonel or a lieutenant colonel or major? Shot down as a captain, right?

Mr. HRDLICKA, Junior. Major.

Mr. DORNAN. Would have been a major at that time. You wouldn't have wanted this to happen to your wife.

You have five children, right?

Mr. WOLD. Four.

Mr. DORNAN. Four, giving you that 14 grandchildren count.

We have just got to be very sensitive. I know that your analysts have taken a lot of heat, hammering over the years, and I thought Gary and Warren were pretty good at taking blows from the families.

But we still have to be supersensitive and treat these family members like they are our family, and I know you have done that in a lot of cases, but then again, it hasn't happened in some cases, and part of it is the nature of the bureaucratic beast that we tend not—not treat them like children maybe, but which did happen in the early years.

I told you that Carol Hrdlicka—the Carol Hanson story, where they send a gunnery sergeant that doesn't know anything about the MI case to make sure she doesn't say anything untoward.

What was Carol Hanson doing? What I told you earlier, exactly what the families did with the French pilots.

Remember our last meeting. Not yours and mine in my office but the last hearing. I took that Paris Match magazine out. I showed you those French pilots. You knew I was focused in on them. And they popped up because France said, "We are going to bomb you."

That is what I thought Nixon and Kissinger said they would do in Vietnam if they found out the Government was not forthcoming. And if Jerry Ford hadn't been an appointed President with a Watergate baby Congress, some of them still left, cutting off our allies' economic aid, first military aid then economic aid under Senator Alan Cranston, and if Ford had not been an appointed President and Nixon had held onto office, B-52's would have been on their way back from Anderson Air Force Base to bomb Vietnam when they came down with that daytime German-type blitzkrieg rolling up Vietnam down the coast.

Lots of tragedies here. The F-111 one is a tragedy and microcosm of the whole war. I just want you honorable folks to really start to reevaluate how you deal with the families and how we end

up with this comprehensive review. And I'm not saying this in an angry way, but I still don't have your analysis of the tough cases, and now I have got mine, which I said earlier can't be as good as yours. So let's finally sync that up, what you think is the final top-notch list that you are going to take to Hanoi some time around mid-January.

Please continue with your statement.

Mr. WOLD. As I indicated, I came into this job about 20 months ago, and Mrs. Duez's statement reminded me of this, although it is pretty frequently in my mind, with the words of Jeremiah 21, "I will make my plans known to you, plans for hope and not for calamity."

I am optimistic. In spite of the frustrations of the job, I still remain optimistic that a lot can be done and that a lot will be done in the months ahead. Whether it takes 6 months or 12 or 2 years, I don't know what that time period is. It is a long time in Laos, as I suggested, if we go the route of joint field excavations on most of those.

And with respect to Mr. Morrissey's statement, I certainly do identify as a grandfather because I do the very things that Matthew was talking about. I teach them how to play chess. I take them out into the hills on the farm and sledding, which I'll do at Christmastime, and do all those things that grandfathers do.

Mr. DORNAN. In North Dakota?

Mr. WOLD. In North Dakota. So I really identify with Mr. Morrissey and all the families.

As we go to Vietnam and as we begin to focus on cases with them, I just want to leave a thought that every case, every family, is equally important. We are going to do our utmost to present every case in as thorough a fashion as we possibly can to the Vietnamese. Those that call for unilateral action on their part or whether it is joint field activities there or whether it is our own action back in CILHI working on the identification process, we are going to do everything we possibly can.

As far as the panel before us today, I am going to ask Commander Marineau to make a statement. I appreciate your allowing him to appear as a substitute, as General Viale's substitute, who is tied up with a delegation from Cambodia.

And then when we get to the two analysts, I am not sure how you wish to proceed, whether you want them to make a statement or whether you want to pose questions; and we will wait for your direction in that regard.

Thank you, Mr. Chairman.

Mr. DORNAN. I would hope Gary and Warren would just have an opportunity to answer in their own heartfelt way about what they think they have accomplished or are trying to accomplish and give me a view of how they handle some of the anger of the families at them.

I have your statement in front of me, Commander Marineau, and also your biography, so please proceed.

STATEMENT OF COMDR. CHARLES R. MARINEAU, JR., CHIEF OF INTELLIGENCE, JOINT TASK FORCE FULL ACCOUNTING, ACCOMPANIED BY RAYMOND J. SPOCK, DEPUTY CHIEF OF INTELLIGENCE, JOINT TASK FORCE FULL ACCOUNTING

Commander MARINEAU. Thank you, Mr. Chairman and members of the committee, for this opportunity to present an update of the activities and progress of the dedicated men and women of the Joint Task Force Full Accounting. Brigadier General Viale has asked me to express his appreciation to you for allowing him to send me in his stead so that he could host the visit of the Royal Cambodia Government's POW/MIA Committee. This Cambodian committee has been instrumental in the significant success—

Mr. DORNAN. Host them here?

Commander MARINEAU. No; in Hawaii, sir.

Mr. DORNAN. Oh, in Hawaii. OK, good.

Commander MARINEAU [continuing]. Significant success of our operations this year. We believe their visit will solidify future co-operation in our future POW/MIA efforts in Cambodia.

Sir, we are just a few weeks short of the fourth anniversary of the establishment of JTF-FA. Much has been accomplished in those 4 years. Today there are 2,162 Americans still unaccounted for from the war in Southeast Asia, down from more than 2,500 at the end of the war, 2,160. In weighing JTF-FA's contribution to the fullest possible accounting, however, the number of cases resolved tells only part of the story of our progress and success.

JTF-FA's mission of achieving the fullest possible accounting is complex. It requires the full dedication and effort of a wide range of professional soldiers, sailors, airmen, marines, and civil servants with a diversity of specialized skills and abilities. These range from highly trained intelligence analysts to the infantrymen leading our teams who are experts in coordinating air and ground operations.

The teams' skills are enhanced by medics, communications technicians, life support equipment experts, explosive ordnance, disposal technicians, certified anthropologists, and grave registration specialists. Their efforts must be executed in remote areas of Vietnam, Laos, and Cambodia in terrain or conditions made dangerous by rough terrain, unexploded ordnance, mines, adverse weather, disease, wild animals, and sometimes by lawless insurgency. Today JTF-FA is conducting complex investigation and recovery operations in Southeast Asia that were unthinkable just a few years ago.

The breadth, scope, and duration of JTF-FA's efforts are unique and unprecedented in history. No other nation has committed the time and resources to such a comprehensive casualty resolution campaign. The members of JTF-FA are highly motivated and proud to be chosen for the solemn and sacred duty. All JTF-FA personnel have made a personal commitment and are keenly aware that each family member of a missing American is looking to us to obtain the answers to the questions they have asked for so many years that they—the answers that they deserve. In the 4 years of the joint task force, we have accumulated a vast body of knowledge as a result of our research and investigative efforts. We have sent the families more than 12,000 reports, letters, photographs, and documents containing information on the fate of their loved ones.

For many of the families, this was the first new information received since the loss of their sons, husbands, or fathers over 20 years ago.

And while the answers come slowly and painfully and aren't always what we would like to be able to say, such information has never before been available. In the past, families could only wonder about their loved one's fate. We believe that providing this information constitutes tangible progress in keeping faith with the families.

To better understand the full scope of our efforts, let me highlight the operations conducted by JTF-FA this year. In Vietnam, we conducted 6 joint field activities, each involving over 100 U.S. personnel split up into 2 investigation and 8 recovery elements deployed for over 30 days each. To accomplish those operations, many of our people deployed away from home for up to 200 days during 1995. We investigated 219 cases and recovered 48 crash and burial sites resulting in 35 sets of remains being returned to U.S. custody for further analysis and identification by the Army's Central Identification Laboratory. In addition, we deployed 3 special research and investigation teams for periods of 4 months, each dedicated to investigating the last known alive in special remains cases. These teams conducted 54 investigations, resulting in excavations of 3 sites.

A unique aspect of our operations in Vietnam this year was the completion of two underwater investigations using U.S. Navy divers. One involved the loss of two B-52's off the coast of southern Vietnam, and one involved three F-4's off the coast of North Vietnam. We have located sufficient wreckage to plan an underwater recovery of one F-4 aircraft next spring.

This year in Laos we also conducted five joint field activities, each involving 4 teams, totaling 40 U.S. personnel. They investigated 89 cases and conducted 18 recoveries, resulting in a repatriation of 14 sets of remains associated with unaccounted for Americans.

For five of the cases, we brought seven Vietnamese witnesses to Laos to assist us in locating crash and grave sites of Americans lost in areas that were under Vietnamese control during the war. We found and excavated two sites as a result while a third has been found and awaits excavation. This effort will continue next month as we bring in more Vietnamese witnesses to assist us. Our teams have identified 46 potential Vietnamese witnesses to American losses in Laos. We are working with the Governments of Laos and Vietnam to locate them and make them available for upcoming tri-lateral operations.

Our archival research team in Laos completed examination of over 19,000 films, photos, and documents at the National Film Library. The Lao have recently formed an interministerial committee to conduct joint archival research. We have presented a comprehensive archival and oral history research plan to the Lao and are prepared for expanded activities.

In addition to POW/MIA activities, JTF-FA has facilitated significant humanitarian efforts on behalf of the United States Government in Laos, including the installation of three irrigation

pumps and providing medical services to more than 3,400 Laotian citizens.

Turning to Cambodia, JTF-FA conducted two major field operations—

Mr. DORNAN. Commander, just stop right there at that point. I don't want to forget to come back to this because it is a bit far afield.

It appears we have come full cycle with the Laotians, because this is what a lot of Americans were doing back in the sixties, helping the Laotians with these very same projects. We went there with all the best intentions, same kind of a mission we are going into Bosnia on, and it is nice to see that we are back helping the average humble Laotian farmer with irrigation projects and things like that.

Start again at "Turning to Cambodia—"

Commander MARINEAU. Turning to Cambodia, JTF-FA conducted two major field operations there this year. For the first time we deployed a large force to a forward operating base in the remote Dragon's Tail area of northeast Cambodia in April and May. This is some of the most inhospitable terrain in Southeast Asia. In many locations our teams rappel from hovering helicopters in order to conduct on-the-ground investigations. Forty-six personnel plus a helicopter detachment deployed for over 30 days, conducting 18 investigations and three excavations, recovering the remains associated with one American.

In November we conducted a major operation in Cambodia using three teams. At Tang Island off the coast of southern Cambodia, we conducted our first underwater recovery operation using a United States Navy salvage ship. This operation, which relates to the *Mayaguez* incident, also included investigating suspected grave sites on the islands. The knowledge and experience we gained from this operation will be instrumental as we plan the more complex recovery in deeper waters off the coast of Vietnam next spring. While we were at Tang Island, another team conducted an excavation over 200 miles away in Northeast Cambodia. We were successful in recovering a total of six sets of remains during these two operations. The remains were repatriated at the beginning of this month.

Of note, during November JTF-FA teams were deployed simultaneously in Vietnam, Laos, and Cambodia involving over 300 United States personnel. This was the largest and most complex JTF-FA operation to date.

While these operations were being conducted in the field, back in Hawaii a dedicated cadre of our most experienced and capable JTF-FA analysts were involved in a comprehensive case review with the Defense POW/MIA office and the Central Identification Laboratory, Hawaii, or CILHI as full partners.

In the case review we brought the results, all JTF-FA work, and our unique operational perspective to the analysis. We believe that the comprehensive review was essential to provide a road map for future operational planning. We want to come to analytical consensus on the status of each case and agreement on the next steps required to achieve the fullest possible accounting. The case review analytical process is now integral to developing all future actions

on the cases. We plan to meet with DPMO next month to continue the process and will meet periodically thereafter to better synchronize future analysis in operations.

JTF-FA has already begun to execute the next steps identified by the review. As requirements for field activity were identified during the review, they were immediately integrated into our work plan as the review progressed. We did not wait until the end of the review to begin the next steps.

We have already reinvestigated 100 cases, completing the next-step requirements identified by the review. This process will continue and accelerate. For example, during our JFA in Vietnam next month, all 30 cases will be reinvestigated based upon requirements identified by the case review.

Mr. DORNAN. What 30 cases, Commander?

Commander MARINEAU. I don't have the list of cases with me, sir.

Mr. DORNAN. No; I meant discrepancy cases that are still top priority. Is that what you meant?

Commander MARINEAU. It will include—the JFA will do the regular cases. Our special research and investigation team will be doing priority and SRT cases concurrent with the field team.

Mr. DORNAN. You said all 30 cases, but your reference prior to that was "reinvestigated 100 cases." What all 30 cases? The "all" is what is throwing me.

Commander MARINEAU. All of the 30 cases that we plan to do next month.

Mr. DORNAN. Oh, I see.

Commander MARINEAU. Based on the results of the review.

Mr. DORNAN. Great.

Commander MARINEAU. In conclusion, JTF-FA is meeting the challenges of this unique mission. Our men and women, all volunteers, each of them the best our military services have to offer, take this mission of the fullest possible accounting personally and seriously. Their commitment is evidenced by the growing complexity of our operations, their personal sacrifice, and being separated from their families and comfort, and the continued success we enjoy in bringing the next of kin the answers they deserve.

Mr. Chairman, again I thank you for this opportunity to represent the joint task force, and I am prepared to answer your questions.

Mr. DORNAN. Thank you, Commander Marineau.

I am interested by this line that they are all volunteers. How long has that been the case?

Commander MARINEAU. From the inception of the joint task force.

Mr. DORNAN. Did we have teams go in the field before the joint task force at crash sites—maybe my analysts know, our analysts know—that were not volunteers?

Commander MARINEAU. I was not here before the formation of the joint task force. I don't know what the policy was there. But when the poll—the joint task force was formed, we wanted to ensure, because of the hardships we were going to pose on the men and their families, that they fully understood that and volunteered

for the effort. If they did not volunteer, we asked the services to provide another person.

Mr. DORNAN. All right. Let me start by asking what would seem to be a mean question about General Needham going to China, China Beach, the famous China Beach, because of the TV show near Da Nang, and that it was run by a former POW interrogator—I would add interrogator/torturer.

Does anybody know if General Needham went to China Beach? Did any of the groups going over there go down to China Beach? Mr. Sydow, Mr. Gray?

Mr. GRAY. I am not aware they went to China Beach at all, sir.

Commander MARINEAU. Often our teams would deploy to that area, and if they had free time, they might take some R&R on the beach. But that would be the extent of it.

Mr. DORNAN. Let me just tell you, in this strange world where People magazine type paparazzi are everywhere, I was reading an in-depth story on 1 of the 53 or 55 designated war criminals, so designated by Justice Richard Goldstone at The Hague in the Netherlands, and one of them is General Milodovich, unusual first name, Ratzo, R-A-T-Z-O. Ratzo Milodovich is a chess master.

So we are up against something tough there in Bosnia, an honorable army three-star general who was at Oxford 2 years preceding Clinton and who told me, although he had never met Clinton—he was coming home when Bill Clinton was going over on the S.S. United States—that Oxford when he was there in 1967 and 1968 was the most hate-America climate he had ever been immersed in in his life.

He came back to Fort Silver Artillery School, went to Vietnam, won the Silver Star, was wounded several times, and performed in an exemplary way. He is now a G-5, as you may know, over at the Joint Chiefs of Staff.

I am reading the story on the front page of the Washington Post last September, and it says General Wesley Clark exchanged hats with Milodovich, and I know a great man; I went uh-oh. Those things come back to bite you.

Here is a war criminal, and you are giving him your Garrison cap and taking his Serbian officer's cap.

And you have to be careful when you are in Hanoi, or anywhere, how you associate with people who live their lives by totally different standards than we live here, where a four-star admiral can have his career abruptly ended by an offhanded remark about prostitutes in Okinawa. So that is why I say be very careful where you pose.

And I might say, General Wold—I meant to pass this on to Winston Lord—please don't go to that photo opportunity spot in front of that 6-foot bust of Ho Chi Minh. Don't be caught near there. They try to get you into this photograph situation, and then AP moves these photographs, and it brings more pain to the families.

George Bush is a good friend, and I saw him posing in front of that bust of Ho Chi Minh, and I thought, here is a former leader of the Free World with Ho Chi Minh looking down, laughing at him. Just avoid those perceptions.

All right, let me ask a couple of questions—no, let me hold my questions and defer to my very patient vice chairman here.

Mr. PICKETT. Thank you, Mr. Chairman. I welcome our fourth and final panel of witnesses today.

The chairman said he was about to ask a tough question, and I substitute one that he may have been thinking about asking, and that is, what is it really that we know, after having made the comprehensive review of these cases, that we did not know before? Where are we? Has our position improved? Do we have a better basis to move forward? What has changed? What is better? What is different?

Mr. WOLD. Certainly our position has improved, yes, sir.

What the comprehensive review has done for us—and either of the analysts can speak in more detail to this—has been to sharpen the focus on the cases within the three categories that we have spoken of earlier today. We just know more about each case.

Where in the past we have kind of looked at knowledgeability of what the Lao or Cambodian or Vietnamese Governments may know, the comprehensive review team has a more forward-looking product in that it looks at the next steps. It is rather more forward looking, I guess, than historical looking, although we certainly have based the review on all historical data documents and information, so forth, available to us.

Mr. PICKETT. Does anyone else want to comment on that?

Mr. SYDOW. I will affirm what Mr. Wold said. We pulled all the information together with a view toward what is the best next step we can take on the case.

There were sources of information mentioned today in earlier comments. The uncorrelated reports from the war, SEEDEC documents. We pulled it altogether, coordinated with our field counterparts to determine what was the next best step, and that is where we are proceeding.

Mr. PICKETT. On the issue of intelligence and the use of intelligence in the Joint Task Force Full Accounting mission, I keep thinking, and I don't mean to be critical; but it seems that we gather up a lot of facts in the intelligence process and it just remains a jumble of facts, that somehow we are not able to make a coherent fabric out of the facts that we learn that will help solve the problems we are confronted with.

I think back to the previous panel, particularly the family members, and they were talking about the inconsistencies that had been given them. And I am not suggesting that everything that has been related to them was intelligence information, but certainly some of it borders on that kind of data.

Yet there doesn't seem to be an organized way to bring what we have in the way of intelligence together to be able to make a definitive determination with regard to the POW/MIA's that we are still working with.

Commander, can you throw any light on this? What is your view? Am I being too hard on the system, or is something missing? Can we improve? What do we need to do to make it better?

Commander MARINEAU. I think the realities of the issue are that over the years we have often gotten conflicting information, sorting through refugee reports, sorting through eyewitness testimony of Americans on the scene, and then sorting through the testimony of the Vietnamese that were on the ground that we can identify that

may have been associated with the incident; it creates a body of evidence that sometimes is internally inconsistent, and the difficulty is in trying to sort through analytically and find the truth in that.

I believe the case review has improved our ability to do that, because for the first time since I have been the J-2 for the joint task force, we have a fully integrated review process with the Defense POW/MIA office.

We had had that for particularly the priority cases and the SRT cases, but we are able to expand that greatly and take advantage of the broad analytical expertise of the DPMO as well as our unique expertise; and I think the case review has led to us to the point where we are better able today than we were a year ago when we started this process to identify legitimate next steps that we have to pursue and have a fuller understanding of where we stand on the cases.

Mr. PICKETT. Whose job is it in this process to reconcile the conflicting data so that this job is not left to the families to do on their own? They would seem to be the ones that were in the least desirable position to make that determination.

Is there something that should be done in the process to resolve these conflicts before the data gets to the families?

Commander MARINEAU. Well, as you know, we have an analytical shop at JTF-FA and at DPMO, and we depend upon the expertise of our trained intelligence analysts to sort through that data and then look it over by people like myself who manage the effort and look for professional, consistent, logical analysis and make the determination. I have no better way to do that.

We have sort of competing analyses in the sense that sometimes the DPMO people see things a little differently than we do, and that synergy of competitive analysis makes for a better product.

Mr. PICKETT. Maybe the analysts could comment on this issue as to whether the intelligence portion of what we learn or know is adequately integrated into the data that you use when you are analyzing specific cases.

Mr. SYDOW. Yes, sir. At each step in the process, the analyst is going to seek information from wherever, from whatever source he can find, as it applies to the case.

An individual analyst will be responsible for a certain select number of cases. He will use both open source information and intelligence, as available to him.

Confirming what Commander Marineau said, in each of these processes, at both of our organizations, an analyst is going to take all the data that he has before him.

We've talked a little bit about the scrub data sheets that we passed to the committee. Those are a hand note of an analyst who has a full casualty file in front of him, who has library reference, who has several sources of data that he is summarizing and gisting and putting on to those data sheets.

Once he's done with his basic conclusion on what the next step should be for the case, there would be at least three levels of management review to ascertain that his logic is clear, that his documented evidence is clear, and that his conclusions are well drawn. I think both of our organizations go through that process. And one

part that was particularly good about the comprehensive review is, then we got together and we compared how we did with each other to get the best possible result.

Mr. PICKETT. How do you go about reconciling when you have conflicting facts that show up in the file? How do you reconcile that? How do you make the determination which ones you are going to go with and which ones you are going to disregard?

Mr. SYDOW. At the center of this comprehensive review and at the center of some of the problems that we have reviewed in front of your committee is the judgment of the analyst. There's no other explanation for that.

I have around me very intelligent analysts, several who have written long books on the situation in Southeast Asia, who know languages of Southeast Asia, who had extensive experience in the war, as I did.

The basic, central, key element in the analyst process is to look at all that information and to make judgments. Some of the bits of information that we heard discussed today the analyst has rejected or determined that it didn't fit plausibly into his understanding of the case.

At all points the analyst is trying to judge which facts are valid, which fit in his view of the case, and which are invalid, which he discards and goes on with his view of the case.

So analyst's judgment is a central answer to your question.

Mr. PICKETT. At this point in the process, is there any way or anything that can be brought to bear on the resolution of these 2,200-odd cases that hasn't already been made available to your analysts?

Mr. SYDOW. No, sir. I think at this point in time we look forward to greater progress in Vietnam, but we have looked at the whole set of data in making our judgment on next steps.

Mr. PICKETT. Not trying to put words in your mouth, but are we at the point now that, with the 400-odd cases or so, you are going to be depending on the governments there in Southeast Asia to make the difference in whether or not you are able to bring these cases to closure with the information that you could get from these governments?

Mr. SYDOW. There are cases where we must rely on the host Indochina governments to help us.

As you may have noted, there are 567 cases where our analysts have come to the conclusion that there is nothing more that this government can do or any government can do.

But indeed there are some 400 cases where we need the host Indochina governments to provide further information to help us. There are some 1,400 cases where we believe that the best effective action next for the case is a joint activity that Commander Marineau described.

Mr. PICKETT. I notice in going through a few of the files that I reviewed, I don't recall ever seeing any comments in the file that may have come from other military personnel who may have been in the theater; for example, military personnel who may have been in the prison system in North Vietnam.

Has there been an adequate debriefing of all of the people who have come back to ensure that any information that they possessed on these matters have been incorporated into the files?

Mr. SYDOW. Yes, sir. Mr. Congressman, when we debriefed the returnees in 1973, in Operation Homecoming, all those returning from Indochina, the United States Government made a special commitment to those men that the information they provided would be held in private and not for release for eternity, and that is essentially the position that we have followed since then.

We don't interfile the debriefs with the regular casualty file. We do, however, make it available as it is relevant to the families. When it is relevant to another family's interest, we will excerpt parts of that and show them that material, but we don't loosely file it with all the material on a particular case. It is held in a special library.

Mr. PICKETT. Mr. Chairman, I think that is all the questions I have, and I want to thank our witnesses very much for your help today.

Mr. DORNAN. Thank you. Thanks, Owen.

Let me just follow up on that question. Where is that library, Gary?

Mr. SYDOW. We have a central facility in DPMO that keeps our debriefs.

Mr. DORNAN. Would it be over at your new—recently new facilities in Crystal City?

Mr. SYDOW. Yes, sir.

Mr. DORNAN. When you say debriefs, you mean these are the debriefs of other pilots or Army men in the area of an incident?

Mr. SYDOW. They are the debriefs of everybody who came home in Operation Homecoming. They have all been reviewed multiple times for any information that might reflect on another case.

Mr. DORNAN. I recall that is a special category of classification to keep people who are debriefed to be forthcoming and promise them that that will never be released.

Mr. WOLD. Yes, Mr. Congressman, that is correct, but there is another aspect to it, and that is some of the narrative detail which the returnees talked about are still current as to methods of helping them which get to future activities.

There is a situation, for example, where you may have a former POW who requests his file, he says, "I don't care if you release it." But our concern in that regard is that there may be information in there which may be of importance in future war—future situations where we have got a search-and-rescue situation, the methods and tactics, the strategy, the equipment, the technology. Any of those questions are things that we want to continue to protect. That is the Air Force's position, who is the executive agency for search-and-rescue. Solly takes that position, and OSD, and we are certain—are equally concerned about future SAR operations that might take place in Bosnia or whatever other conflict we might be involved in.

Mr. DORNAN. Are you or any of your staff aware that in the exuberance over Scott O'Grady's miraculous rescue 6 days after we thought he had been captured or killed, that everyone was—not everyone, that Scott himself was so eager to talk, and others, some

others to analyze it, that it appears since I have seen you last that the Bosnians set an ambush for us using what they learned from O'Grady's incident and that is why two Marines were slightly wounded.

Remember, I told you that was a rumor when I talked to you last. I found out more about it; it was whether it stopped the second and third rescue attempts.

But it is something that is, even in this fast-moving modern era, there are certain things that we did with our prisoners—not to them, with our prisoners in Hanoi, that I agree should be kept secret, that men would have talked about in debriefings.

Then of course there is some embarrassing material that I think should have been embarrassing. A lot of prisoners came home and said A, B, C, and D are filthy traitors, cooperated with the enemy, sock it to them, and John Warner and Bo Calloway in the press quite often recently over GOPAC, whatever that is all about, the Army and the Navy Secretaries decided not to proceed—I think they should have—against the men who did betray their country and brought punishment on their fellow prisoners.

It came down to, in the end, two officers and the seven enlisted men, and another officer looked like he committed suicide. Certainly one of the enlisted men committed suicide, Cavanaugh. A Marine in another one was shot to death, murdered in Manila, and he had really compromised and was—and had two or three other men under his spell.

So again, the prisoners coming home did not get full justice, and we did not establish good case law for the future.

God forbid that we ever get in a conflict so big that we have prisoners rotting there for 7, 8, and 9 years, and frankly, given the way we are on the information highway now, as I was trying to discuss with General Shalikashvili sitting in your chair, Commander, how many casualties we would accept in Bosnia before the political pressure would build to pull out that we are talking about a couple of hundred.

And it always hits me that we had that many killed in action every week in Vietnam for years on end, 200 a week average, and then several weeks at 350, 400, 450 during the Tet offensive period and at the end of mini Tet, 1968.

I can't conceive this country having gone through that, and I wished that I was in the Congress at that time in my thirties. And that is one of the reasons I pursued the course I did over Bosnia last night. I don't think it has been properly thought through. I think a lot of good military people have taken their orders from the top and that it is, in my opinion, influenced a lot by politics.

Let me ask you this. Have the Vietnamese turned over to the United States Government the original records—and our two analysts could answer this, too, if they want—the original records of the organization, this military law division that the mortician worked for? And have they included in anything they have turned over a list of code numbers, names of people, people whose remains they had, personal effects of any deceased Americans from that particular military law division?

Can anybody help me with an answer to that question? I have a followup.

Yes, Gary.

Mr. SYDOW. On the specific issue of the Military Law Division in Hanoi, they have not turned over such records.

The Military Law Division is one name of an organization in a series of four or five that kept changing its name. It managed a procedure throughout the country of Vietnam of remains recovery, photographing the remains, registering the burial, and so forth.

We have been shown a considerable number of documents that detail that process, and in that regard the answer is yes.

Mr. DORNAN. Anything in your experience, Warren, with this Military Law Division trying to break the code there?

Mr. GRAY. No, sir. Gary would be the expert on Vietnam. Certainly nothing like that has come forward in Laos or Vietnam.

Mr. DORNAN. There was no comparable division in Laos?

Mr. GRAY. No, sir.

Mr. DORNAN. Looking at these documents where they said 20 appeared several times, given the doublespeak that they used at that meeting that I witnessed with Carol Hanson in January 1970, I remember he said tens of tens. He might have used that expression with 20; 20 is 2 times 10.

So tens of ten. I never really thought there were more than 20 up with Hrdlicka, DeBruin, and Shelton being 3 of the 20. That was the figure I had in my mind in trips over to Laos in 1970 and 1971, and I didn't know about the existence of these documents.

Have the Vietnamese handed over—I should actually rephrase this. Have the Vietnamese been asked about the personal files and diaries of Colonel Doan, D-O-A-N; Hanh, H-A-N-H; or any other commander of that Military Law Division?

Mr. SYDOW. Col. Doan Hanh has been interviewed twice. His statement is that he had no records to provide us.

Mr. DORNAN. You didn't believe that, did you?

Mr. SYDOW. No, sir.

Mr. DORNAN. Yes.

Mr. SYDOW. He indicated that the important files had been moved to another location. He wasn't aware of their placement. So we never recovered documents of that kind. At the same time, he was fairly forthcoming in his interviews. He described the process in detail, gave us insights into the picture that we knew.

Mr. DORNAN. I don't want to trivialize, but that comes under the serious heading of "the dog ate my homework," you know, the double-talk, it moved here, it moved there, we don't know where it is.

Maybe if you gentlemen would prepare the work for him that Jim Wold could ask again—just worth trying—about Colonel Hanh and about this Military Law Division. As you said, one of these days they may decide that they are not going to get most-favored-nation status out of the U.S. Congress unless they finally become truly forthcoming.

Regarding the mortician's report in the late seventies on intelligence regarding that warehousing of remains, has there been a thorough assessment during this recent comprehensive review of repatriated remains, which would be a rework for you folks, would show evidence of storage with patterns and numbers, kind of like graphs it out on a time line? And would it include factors such as locations, whether above- or below-ground storage?

I don't even know what that means, if the staff is prepared. Why would they store anything below ground? because if it is stored above or below, it is not going to deteriorate as though it were in the dirt, whether or not any discrepancy cases were in there. Incidents occurred when, type of incidents, any correlation at all or analysis of warehousing vis-a-vis discrepancy cases—was there any kind of a study like that done?

Mr. SYDOW. No, sir. As we indicated in the last hearing, that needs to be done. We are intent on doing it.

Mr. DORNAN. Oh, good.

Mr. SYDOW. The focus of the comprehensive review was on unaccounted for cases. The theme that you suggest deals with cases we have already accounted for, how we accounted for them, where we got the remains, and how they were returned. So that area is larger than the scope of our review, and we are going into that shortly.

Mr. DORNAN. The administration continually refers to less than one—quote, 100 special remains cases, unquote, as a priority focus—as a priority focus, those 100 special remains cases, and that last known alive cases have been reduced to 55; and from our other hearings I am still a little vague on how we ended up at that 55 and how old that figure is.

And what about the more than 110 last known alive cases which are now reportedly classified as deceased? Fifty-five still special, 110 last known alive but now recorded as deceased. Why haven't you added in this trip coming up in January the remains discrepancy list? Why have they been kept there, the 110?

Mr. WOLD. The list that was originally drafted, as the Congressman knows, I'm sure, consists of 196 names. Twenty-five Americans were identified from that list. There was 1 foreign national, bringing the total up to 26 that have been accounted for.

Mr. DORNAN. Did we ever determine where that foreign national came from? Was he a Frenchman?

Mr. SYDOW. He's a British citizen.

Mr. DORNAN. Oh, we have a name that goes with him?

Mr. SYDOW. Oh, yes.

Mr. DORNAN. And the circumstance of his death?

Mr. SYDOW. Yes, sir.

Mr. DORNAN. We notified his family?

Mr. SYDOW. Yes, sir. We notified the British Embassy, just as we notify families, American families.

Mr. DORNAN. Was he killed during our period there? Was he a journalist or something?

Mr. SYDOW. Yes. The reason that he's included in the case is that he is one of three men, two different cases that occurred simultaneously in close proximity, and so he had to be included in the investigation to know what happened in the case.

Mr. DORNAN. I see. And if Hanoi hasn't returned remains with evidence of chemical preservatives since 1991—and that is my understanding; is that correct? No one has come back since—let me rephrase it.

Starting with January 1992, George Bush's last year as President, have any remains come back with chemical preservatives indicating storage?

Mr. SYDOW. No, sir.

Mr. DORNAN. No. But that doesn't necessarily mean that they haven't set this aside, right? As a matter of fact, it might have an ominous interpretation that, there they are, annoyed we found that out, and therefore it just brought it to a screeching halt, and at some time in the future it may go the other way.

See, I still think that although it is not United States policy and it has been French policy, I am convinced that as the rich fabric of friendship unfolds, that at some point if we said look, let's quit fooling around and we will give you \$2 million per sets of remains, close down the warehouse, I think they would close down the warehouse, they would jump at it in a heartbeat. I think that would be dishonorable of us.

I think that is what they still hold out for with fond hopes, because we as Americans would call the corruption—that is not a fair word—the debasement of this trafficking in remains by the French cultural approach to this, I think it has made it very difficult for us.

Has that occurred to any of you gentlemen?

Gary, you are nodding. The French experience has made it tough for us, has it not? Have you had any intelligence analysis of that?

Mr. MARINEAU. I am aware of it, Mr. Chairman. But I have not studied the issue of the French remains in great depth.

Mr. DORNAN. Would you do that for me and get a copy of it and just take a look at it? It would help you in your job, and also help the folks back at Camp Smith, Howling Smith.

Let me ask you a question about your own background. At the Naval War College you taught rules of engagement?

Mr. MARINEAU. Yes, sir, I did.

Mr. DORNAN. I noticed the media is getting so flippant about this; they are assuming the American public understand all acronyms. I heard a reporter the other night, or actually a briefer, talking about ROE, ROE. You are aware that Senator Barry Goldwater had declassified and put into the Senate Record sometime in the 1980's the rules of engagement from Vietnam, MiG sanctuaries, that sort of thing?

Mr. MARINEAU. I was not aware of that, sir.

Mr. DORNAN. You never taught the Vietnamese rules of engagement?

Mr. MARINEAU. No, sir, we taught U.S. rules of engagement.

Mr. DORNAN. That is what I meant, McNamara's U.S. rules of engagement.

Mr. MARINEAU. We taught the rules of engagement as they were updated in the late—

Mr. DORNAN. Oh, I see. You taught contemporary rules of engagement.

Mr. MARINEAU. That is right. Contemporary rules.

Mr. DORNAN. I think it would have been fascinating for senior officers of the Naval War College to go back and revisit what I think were blatantly immoral rules of engagement, crippling our people and causing hundreds of these POW cases. And the one that comes to mind most is when I analyzed on a graph, men shot down on their first, second, third, fourth, fifth mission, and then men where the law of averages just caught up, shot down on their 91st, 92d, 93d mission.

And then flying in an F-104 as a reporter once with Col. Sam Armstrong at Edwards Air Force Base, he said, quote—this is in the cockpit, so it stuck in my head. I got to know North Vietnam like the palm of my hand, after about 50 missions. I think he had a hundred over the North, maybe more. And he said, I knew where every SAM site was, I knew how to avoid them. And by the 60th mission, I built a confidence level they were never going to get me, and they did not. And I thought that is, in a small country like Vietnam, that is possible. But the men that were hit in their first few missions, even if they were on somebody's wing, I determined that in 1965, 1966, and 1967, it was because MiGs could take off, by McNamara's unethical dictate, they would take off, fly into the sun, get the superior altitude, and use a very clever German tactic from World War I, hit and run and move on. No dog fighting. And they worked it to great success and reversed the averages of 8 or 13 to 1, depending on your historian in Korea.

And I took an 82-year-old ace from the Battle of Britain, Polish squadron commander from Great Britain, Vitold Verbonovitz, and he described to me how he shot down 17 German airplanes, more than anybody else in the RAF, in the Battle of Britain. He said, I would get to high altitude, pick my target, hit, run, and get out of the area until I could safely recover and come back in, exactly what they did to us in Vietnam.

Rules of engagement are very important, and for Bill Clinton to indicate to our forces in Germany a couple of days ago that if they suspect someone is coming at them they have the right to use lethal force, that is not the way American forces operate. That is an invitation to killing an innocent civilian, bringing you cookies in the dead of night, and you end up in a court martial trying to quote the commander in chief as your excuse why you fired before you had justification to do that. That is not part of a peacekeeping mission. So there is a lot more to unfold of our rules of engagement.

Let me come back to this, what has been done to the 81 cases in Laos. This would be you, Warren, that involve 139 Americans. Is that—wait a minute. There are 81 cases in Laos.

Mr. GRAY. You are mixing a couple numbers. There are 44 incidents in Laos involving 81 people.

Mr. DORNAN. Got it.

Mr. GRAY. Those are the priority discrepancy cases. And that includes the category POW at Homecoming, Shelton, Hrdlicka, and Debruin.

Mr. DORNAN. Right, 44 now.

Mr. GRAY. Yes, sir, 44; 81 persons. Now, the 139 is the total discrepancy case listing.

Mr. DORNAN. Got it.

Mr. GRAY. We put knowledgeability in that early on, back in 1992, so it came up to 139.

Mr. DORNAN. Now, as you work with Gary, and prepare for this trip, how do we break the impasse on the part of the Vietnamese that they had nothing do with Laos? Are they inching forward and saying, yes, we controlled these areas on this landmass map, and we are going to try and get you some knowledge of that area?

Mr. GRAY. They have not come forward and said we controlled those areas. And that has certainly been a problem.

Now, of all the losses in Laos, over 400, over 80 percent were in areas controlled by the Vietnamese. There is an effort underway now, started by General Wold, working with the Lao and others, to get the Vietnamese and the Lao and the United States together to talk about getting documents from Vietnamese archives with regard to the losses in Laos. That effort is underway. We have seen little documentation from the Vietnamese archives with regard to the losses in Laos. So now it is going to be put on the table, it is going to be a major point between all parties.

Mr. DORNAN. Have you ever been suspicious, to use this word, scrubbed, that the Vietnamese scrubbed anything out of their documents that pertained to Laos, before they gave anything to us?

Mr. GRAY. Not really, because the one document they turned over that gave us an insight into Laos was the 559 document. But indications are that there are more documents of that type for the North, of that area, for example.

Mr. DORNAN. How did they come up with that number, 559?

Mr. GRAY. That is the unit that—

Mr. DORNAN. Was that an anti-aircraft unit or a—

Mr. GRAY. It is a group.

Mr. SYDOW. The group was formed in May 1959, hence 559.

Mr. DORNAN. I was just thinking about that, OK, May 1959. And it was a composite group, it wasn't just anti-aircraft?

Mr. SYDOW. It is a rear services group, controlled by the Rear Services Directorate in Hanoi, responsible for both defense, anti-aircraft, and moving troops and supplies down the trail.

Mr. DORNAN. Now, this summary was handwritten, the 559 group summary?

Mr. GRAY. That is right.

Mr. DORNAN. Do you think there is hope that we can get any more documents or records like that to be made available by Vietnam?

Mr. GRAY. Absolutely. There have to be source documents for the 559 document, source documents that go to the details of each of the incidents, the many incidents identified in that document.

Mr. DORNAN. These documents that go back and forth and back and forth that I saw years ago, here is one, January 6, 1970. I roughly or vaguely remember discussing this with Lt. Gen. Eugene Tighe, a document like this one or one like it. Says, subject, general location of prison camp containing about 20 United States Air Force pilots in Ban Nakay region of Houa Phan Province. Then it is blocked out. Then it says about 20 U.S.—United States Air Force pilots were in prison in a concealed section of Ban Nakay, gives coordinates, area, Sam Neua province, according to two villagers who visited the region.

You have gone over these laboriously for years now, right, these references, Warren?

Mr. GRAY. Yes, sir.

Mr. DORNAN. Do you believe at the time some of these documents were written that we ever could have had that many pilots in one location?

Mr. GRAY. The area you are talking about Ban Nakay, is Vieng Sai. Vieng Sai was the old Pathet Lao headquarters. The caves at

Vieng Sai were essentially the headquarters. Sam Neua was not that far away.

Mr. DORNAN. Extensive cave complex.

Mr. GRAY. Yes, sir.

Mr. DORNAN. The caves properly described by Lieutenant Long.

Mr. GRAY. The Pathet Lao leadership lived in these caves.

Mr. DORNAN. Have we visited those caves?

Mr. GRAY. Yes, sir.

Mr. DORNAN. Have you been there yourself?

Mr. GRAY. I have not been there myself. I have been to Sam Neua when I did the USA investigation, but did not go into Vieng Sai, but the joint teams have been in Vieng Sai a number of times. Phu Pha Thi is a couple of kilometers away. Same area.

Mr. DORNAN. Did you go to Wemasigh in 1985?

Mr. GRAY. No, sir. My analyst did.

Mr. DORNAN. And you personally talked to your analysts who were there?

Mr. GRAY. Absolutely.

Mr. DORNAN. The way I briefly described it from recall on the intelligence reports about the running gun fight along the mesa, dropping the grenades along the side, the men trying to hide in hammocks, were you satisfied that they weren't just stonewalling your analysts, that they had no memory, and then somebody said the rains have taken some of the topsoil off the top of the mesa where they might have been buried? It all sounds very unsatisfactory to me that they don't know where those people were buried.

Mr. GRAY. Well, as you know, they brought Trim Muc, the commander of the sappers, on to the mountain. He said that he could pinpoint the grave sites. He pinpointed where he said they had buried, in some cases buried, in other cases left them pretty much on top, put rocks over them, pointed out each of the areas where he said, I think more than 10 Americans had died and were buried on the mountain.

The joint task force spent Christmas, through Christmas 1 year, went over every inch, went into every area that he identified, covered the entire top of that mountain. Found what they thought were remains. Turned out to be animal remains. But now the single human remain was found on Phu Pha Thi.

Mr. DORNAN. What was your analysis of that?

Let me just put a preface on it for Mr. Pickett and some others visiting. The mesa had a sloping front; it was the general access to it. They came up an unclimbable cliff, so he must be a very proud commander that he pulled off an amazing commando, slash, sapper-type mission, and wiped out a key radar site directing F-105s and others from Laos into route Pack 5 and 6 on the North. Did he—and I don't see any reason why he wouldn't be very proud of this. They used Russian Antonov 2 Colt, our NATO nickname, biplanes to bomb that site. They were obsessed with taking it out. So when he came up the unclimbable, quote, unquote, side, and caught the men from the back by surprise, and we put in an emergency helicopter rescue, one man who made it on the helicopters was hit with rifle fire and died in the helicopter on the way back; is that not correct?

Mr. GRAY. That is right.

Mr. DORNAN. I have never seen anything more exciting and tragic in a movie than that O.K. Corral scene there. But the sloping front side that they didn't try to attack up and that we would have supported with close air support, animals would have access up that gradual front to destroy remains of any people buried with just rocks. Was that part of the analysis? It was?

Mr. MARINEAU. If I can add, sir, one little known fact about the aftermath of that incident is that the U.S. Air Force bombed that site, putting tens of thousands of tons of bombs on top of that. In fact, there is a part of the mountain that our teams identified that may have split off and fallen to the bottom of the crevasse as a result. We believe there is a possibility that many of those remains could have been destroyed by U.S. bombing of the site, animals may have come. And also perhaps we know that from Mr. Muc's testimony that they put another unit up there afterward. And there is a possibility that we tried to confirm, they could have thrown the bodies over the cliff. We went down to the bottom of the cliff and looked, and we could not find any remains down there, either.

Mr. DORNAN. When we put those very serious raids on there, they were using it themselves or they had personnel up there?

Mr. MARINEAU. Apparently they put some sort of unit on the top of the mountain after they captured it. But it was not for an electronic unit of any type.

Mr. DORNAN. And that was probably the end of their service that they wouldn't have survived that raid themselves. So did you find Vietnamese remains anywhere?

Mr. MARINEAU. No, sir, we did not. We didn't find any remains other than the small bones that turned out to be animal bones.

Mr. GRAY. We have identified the commander of the unit that came on after the sappers left and we are asking that he be made available for interview. He has been interviewed, there is a videotape of him, but we are going back.

Mr. DORNAN. All right. That is good.

Then these documents here that I held up earlier that the families are familiar with, if I have Mr. Santoli give these to you, is there a way in the Intelligence Committee I can see the unredacted versions of these and also show them to Mr. Pickett? These are who? General Khamtai, these documents. Let's see, how can I identify records maintained by senior Lao Government Communist Party official listing American MIA's from the war in Laos. With you aware of this one, Warren?

Mr. GRAY. I am not aware of the report, but I am certainly aware of the records and the listings and General Khamtai. General Khamtai leads the country today.

Mr. DORNAN. Right. That is right. Worked his way up.

Mr. GRAY. Been interviewed by the Americans and he certainly interviewed—or identified for our oral history program, if the Lao ever allow us to talk to him.

Mr. DORNAN. Here it says, information on Americans missing or killed in action will ever—I missed the beginning of the sentence here, blocked out, remark—highly unlikely that the complete list of information on Americans missing or killed in action will ever be released so long as the U.S. Government refuses to abide by the

provisions of the Paris agreement to heal the wounds of war and the 17 points included in the former Richard M. Nixon's letter to S—although this is Vietnam, yes, that—you know, again, these are the documents that are so tantalizing in their abbreviated form, and I will have Mr. Santoli get them to you and see if I can look at them up in the Intelligence Committee or something.

We are almost at the end here, gentlemen. Again, thank you for your patience. Two questions.

Can there be further investigation of the Matejov case? Mary, the mother, has been with us all day long, and the quest for the Baron 52 case. Do we have to proceed quickly with that burial? Is there any way we can put that off as you work with the family members to relieve some of their final concerns?

Mr. WOLD. Mr. Congressman, the question is going to have to be addressed to the respective service Secretary, the Secretary of the Air Force. She is in a process at that point in the identification process, and that is where the case—I am not trying to be evasive, but that is where the disposition lives at this point.

Mr. DORNAN. I said earlier I could go to Senator D'Amato or it would probably be sufficient because he is friendly to the Air Force, so am I, to call on Secretary Widnall; and if we were to ask this of her, how much more time would you need to work with the family? Would a month be sufficient or 2 months, if the family feels they just don't want it at this point? Certainly not until after the mid-January trip, if it comes off. What do you think, Gary?

Mr. SYDOW. We are happy to work with the family to deal with the questions that they raise. And we have done that over the course of this case. I am not sure what questions are being forwarded at the moment.

Mr. DORNAN. Right. We will supply that to you.

And I have a question from my four generation—four decade friend, Carol Hrdlicka. Has anyone ever interviewed that Russian that she mentioned in her testimony, I would have to go back to her testimony, Shchedrov?

- Mr. GRAY. I am aware of the situation. Back in 1993, Carol got a letter from Mrs. Shchedrov, whose husband was a journalist. We have a special study being done right now with regard to what Shchedrov knew about live American POW's.

In the letter to Carol, she says—this is coming from the wife, he has died, he is no longer available. But she says she understood from her husband that David was interviewed by him in 1969.

It was my understanding that the joint task force—I am sorry, not the joint task force, our Russian Task Force is going back to interview her. That has not been done, but certainly at the moment she's interviewed, and based on what she says, that will be forwarded to Carol.

Mr. DORNAN. Is she in a large city, like Leningrad or Moscow?

Mr. GRAY. I am not sure exactly where she is located. But the team has access to all of the country, so access should not be a problem.

Mr. DORNAN. Is there a person like you, Warren or Gary, working the Russian problem that deals with Congressman Sam Johnson?

Mr. GRAY. Our Task Force Russia.

Mr. DORNAN. Right. Who is your—

Mr. GRAY. Joint commission support.

Mr. WOLD. Perhaps I could elaborate on that. A large part of my time and activity is involved with our Joint Commission Support Directorate. This was formerly the old Task Force Russia.

Mr. DORNAN. This is what Congressman Johnson works with?

Mr. WOLD. That is right. Ambassador Toon is the U.S. cochairman of the commission. Included as commissioners are Sam Johnson, Senator Smith, Dennis—

Mr. DORNAN. Is Pete Peterson on that?

Mr. WOLD. Pete Peterson, myself. Dennis, what is his name?

Mr. GRAY. Senator Smith is on that.

Mr. WOLD. Senator Smith, the president of the National Intelligence College, and there may be one other person. Oh, the U.S. Archivist. We are the—we constitute the commission.

During the past year, we met generally every—about every 3 months, about once a quarter, and have presented very extensive analyses and questions to the Russian side. Each time we go back, as we do in Southeast Asia, we look for responses and if we don't get them we say, we asked you about this last time, what is your response. And we keep pursuing it in that fashion.

I should mention, it may have been Mr. Morrissey's testimony, he referenced hundreds of Americans having been taken as POW's to the Soviet Union. This has been probably the highest priority question that the Commission has addressed in its 3½ years of existence. For myself, I feel that the number is much less and the analysts feel now that it is maybe 40 to 50, rather than several hundred. And especially the F-86 pilots, so they wanted the technology, they wanted the brain knowledge on strategy, tactics, and so forth that the pilots possessed.

We have not found evidence that we can turn around to the Russians and say, look, these came out of your archives, now explain it. That is the kind of evidence we are still looking for. We had a lead, a very intriguing lead, that developed in the last plenary session in September, I believe it was, in Moscow. A former young soldier named Trotsingle, he is 40 years older now than he was at the time he was a young soldier, came forward as a result of radio advertising that we do throughout Russia, asking former veterans, please come forward if you have any information on cold war shoot-downs, on the interrogation process in Vietnam, or in Korea.

Trotsingle came forward and told us an interesting story which we believed and the Russians said he was credible, that he had been in a hospital, he had been injured in a parachute jump. He was put in a ward where there were four or five Americans, and he identified them as Americans because he said they kept repeating words like—there was one, the others were pretty badly injured, were burned, but one kept repeating the phrase of San Francisco, Chicago, Philadelphia, and that sort of thing, and from that he deduced that they were American fliers, American POW's.

He was interviewed by both sides. We followed up that interview, went out to the village and the hospital site. We found corroborating evidence from neighbors which could corroborate his presence in the hospital. There was a hospital cemetery there, and there were five graves that were aligned in a different direction than

what you normally find in a Russian cemetery. It was either east to west as opposed to north or south, or vice versa. The Russians worked with us to investigate those graves where this Trotsingle had heard that Americans had been buried out in the cemetery, we did not find remains. We continue to pursue that case and try to pursue more information as to the circumstances of his testimony. We believe he was credible.

What is significant about that is that this would be the first time that we had clear evidence, which the Soviets have previously denied, that American POW's ever set foot on Soviet soil. So I don't know where I was going when I started this.

Mr. DORNAN. Well, no, the untimely death of General Dmitri Volkogonov does not help this process. I am very impressed with what you just told me, so I am glad you are going there. And it is in today's paper, if you haven't seen it, on another case, in Kyrgyzstan. And I was starting, as I was reading this, as I was also listening, and I was thinking, well, this is a little too mysterious, not going anywhere. As I get to the end of the article, it says that the Soviets had two special camps for former prisoners. Now what does that mean? That sounds like the North Korean situation of taking South Vietnamese prisoners, thousands of them, beating them down mentally over 10 or 15 years, then releasing them, saying you can intermarry but you stay here, we don't want you taking any Intel back to South Korea. It is the most closed society in the world, and I thought of that, I flashed on that when I see camps for former prisoners.

What is that? You let them out of one prison and then put them in a camp for former prisoners? And it is about as far away from the Western world as you can get, is in Tajikistan or Kyrgyzstan. And I hope to go there next summer on an intelligence trip based on all the problems developing there.

One final question on documents like 559. The Vietnamese Government has got to be more forthcoming on issues like that before we can sign off on this. They are fully cooperative. I will stay with very good. I prefer good, but I will go with very good as long as we don't say splendid, supercalifragilisticexpialidocious as to cooperation. But we are going to press them on this January trip on documents like 559, right, I mean groups like that.

Senator Smith wanted to know, because he has very unpleasant feelings about the way he was boxed in by the aforementioned Frances Zwenig, John McCain, and certainly John Kerry; suddenly they were—or Kerry was a big friend to the Pentagon on this. And it always seemed to me, tracking it from the different legislative chamber, that it was all geared to end it as fast as they could toward the end, and shut down the investigative process. And bingo, look what happened, a few months after they shut down, the Chairman would have been Senator Smith and it would have been a totally different operation and Kerry probably said, I don't want to have anything to do with this.

Would you characterize Vietnamese efforts on the POW issue as fully cooperative or absolutely superb? If you had to choose between those two, what would you go with? Can I start with you, General? I think Senator Smith, frankly, wants this for the record.

Would you characterize their efforts on the issue as fully cooperative or absolutely superb?

Let me ask—let me ask Gary, I see now Senator Smith wanted the question asked of Gary and Warren. And maybe he has some intent here because expressions have been used before. Let me put it in Bob Dornan's words. Have you, Warren, ever used the term "absolutely superb" to describe their cooperation?

Mr. GRAY. With regard to the Lao or the Vietnamese?

Mr. DORNAN. Right. And again because I told you I have no hidden agenda, that if we found some documents where you said, that it is fine with me, that you didn't remember it. But do you honestly recall, and I think you are an honest man, do you honestly recall ever saying absolutely superb?

Mr. GRAY. Not with regard to cooperation on the part of any of them.

Now, as I indicated, my expertise is with regard to Laos, and people have asked me where do they stand with regard to cooperation and I pointed out that in many areas they have cooperated. They have done the best that they could with the few people that they have dedicated to the issue. But the bottom line is, there are still answers that we feel they can provide, archives—

Mr. DORNAN. That they are holding back for some reason and archives would be No. 1.

Mr. GRAY. We don't know that they are really holding back. For years their position was they didn't have archives, that the folks in the field were illiterate, couldn't keep notes, so they didn't have any. But we have seen indications they probably do have archives, wartime archives. So—and they have indicated now they put together an ad hoc committee that is going to go in, determine where the archives are, and give us access.

The other problem has been oral history program. They—same vein, they put together the ad hoc committee. They indicate that the ad hoc committee is already interviewing the oral history folks that we identified. We are looking for those reports and we are saying we want to come in with you and do joint interviews.

So those two areas have been problems in the past. But they are trying. They say that this ad hoc committee will solve those problems.

Mr. DORNAN. I didn't look up to see if you took notes when Mr. Bell was testifying, but I am sure you took due note of any historians in tank tops and Ho Chi Minh sandals. That is a good criticism, don't you think, that our historians when they are interviewing a colonel or someone of that rank, should be dressed respectfully, in spite of the humidity. Would you agree with that also, Gary?

Mr. SYDOW. Yes, sir.

Mr. DORNAN. And can you give me a bottom line, first of all not setting a trap, you are forgiven if you said it, didn't recall, in a moment of enthusiasm did you ever describe Vietnamese cooperation as absolutely superb—

Mr. SYDOW. No, sir.

Mr. DORNAN [continuing]. In Senate hearings or anything? Good. And you are still not able to say fully cooperative?

Mr. SYDOW. No, sir, I wouldn't say that. I would say they cooperate constructively.

Mr. DORNAN. Cooperate constructively.

Mr. SYDOW. They can do more.

Mr. DORNAN. Right. And then again, using just recent days, Bosnian Serbs, totally different culture, ancient part of Western civilization, going back to the Battle of Kosovo, interestingly when you adjust the calendar, on the exact same date of the assassination of Arch Duke Ferdinand, June 28, 1389, Prince Lazar, still spoken about as though it is George Washington two centuries ago, and he died today, by the way, in 1799, the Bosnian Serbs, our culture, just a few days ago said we don't know anything about any French pilots, don't know a thing. Kidnapped at day 52, don't know anything about them, go talk to the Muslims. And then when they are pressed hard enough, Milosevic presses them, they say, oh, yes, here they are. And then Mladic stands there and goes, bon voyage, in French.

You know, that is what lying is all about and our race of events here, nobody says filthy liars, look what you did to the families in France, MIA families, we just move on. And then they go, gee, that wasn't so hard to undo that lie. So again, there are current experiences that show what the families are going through.

So here is the final thing. Commander is off the hook, Jim Wold is off the hook, and I can see you were touched as we all were by that young grandson's wishing that he had something other than a name on a wall.

Let me just end with what I wanted Warren and Gary to address earlier. Defend yourselves about your relationship with all these families over the years. Constructively defend yourselves. You go first to Laos, Warren, because it involves the oldest case, the oldest two cases in Laos. You have had moments along with all the criticism I assume, over the years, have you not?

Mr. GRAY. You mentioned earlier our looking into how we would handle the anger of the families, and I have been thinking about that. I can honestly say, with all the families I dealt with, and I dealt with many, many of the families, I have families that call me on a daily basis. I have families that call and say, Warren, just keep me posted on what is going on in Laos. And I do. I have not experienced anger from the families, because I think they realize early on that the people working this issue, and I tried to impress upon them the fact that we are sincere in what we are doing. We have loved ones who are missing. I am a Vietnam veteran, I have been there, I know what it is all about.

Mr. DORNAN. Were you Army, Warren?

Mr. GRAY. Army, yes, sir.

Mr. DORNAN. Which corps area?

Mr. GRAY. I started out in Phu Bai, 1st Corps, and wound up in Saigon and then out in Long Binh as the S2 with an ASA battalion, strictly intelligence throughout. But there has not been anger. These folks realize, and every time we picked up new information that ought to go to the families, I have got folks on my team, I have got some of the finest analysts you will ever encounter on the POW issue, who say, get this to the family today, and we are doing it. We are moving stuff to the families. In some cases, there have

been mistakes and the information has gone out. Some of the files are terrible, we will admit that. But we are trying to get those things up to date and ready to go. The families are coming in looking at the files. And that is good. But there has not been anger. I have seen people looking at us like I know you are working for me and I know what you are doing and I appreciate it. I get a lot of that from the families.

Mr. DORNAN. And do you think with a renewed effort here under General Wold that there isn't any family that you can't go back, start from scratch and say, whatever you think we have done, let's just agree to put it behind us and let's start anew here with this comprehensive review and try and make the records as accurate as possible? I am thinking about Carol Hrdlicka saying, how did this document get back in here when Colonel Peck had already taken it out? You know what I am referring to.

Mr. GRAY. I am not aware of that document. I was going through the file yesterday and found a document that should not have been there. What was interesting about the document was, it probably correlates to someone else for whom we had no information as to what happened to him. We do now, based on what was in that file.

Mr. DORNAN. Is that one of the nine that were shot down in June 1966?

Mr. GRAY. He went down in January 1966 in the area of Vieng Sai. There are a number of people missing in the area of Vieng Sai. The problem was with the files, as this information was coming in through the years—and there have been thousands of source reports—analysts weren't quite sure.

Shelton and Hrdlicka were in the same area at the same time. Rather than say this is Shelton and leave it in the Hrdlicka file, they put dupes in all these files, so anybody missing in that area probably has a copy of that report in that file. Many of them do not correlate. But as we are doing the review we are getting those files straight.

Mr. DORNAN. As the senior analyst for Laos, do you have less problems with live sighting reports than Gary does as the senior analyst for North Vietnam? And you have South Vietnam too.

Mr. GRAY. I handle all the live sightings. I task the team to go out and give them instructions.

We have probably fewer requirements today for live sighting investigations than ever because the refugees have gone home. We are no longer getting live sighting reports.

We have no reports that need the investigator on the ground in Vietnam, Laos, Cambodia. We do have an outstanding request right now to go into Vietnam. They go in next week. We have an outstanding request to go into Laos. He goes in pretty quickly on that. This has not been a problem. We can get in. It takes a little time sometimes.

Mr. DORNAN. General Wold, commander, and my two analysts in the center, we are in Christmas season here. Forgive me for going so long today. Let me come back to Gary.

Gary, defend yourself constructively. There have been many good moments for you over the years, I assume, with families?

Mr. SYDOW. Yes, sir.

Mr. DORNAN. Bringing resolution with this overworked word "closure," but it means what it says. You have been at some of those funerals at Arlington, as I have. But you understand the anger of some of the families, like what Warren—I hate this word—admitted, because the press is always trying to get me to admit things. It indicates legal guilt or culpability.

As Gary just analyzed, he finds a document in David Hrdlicka's file that enables him to tell a family on another case from January 1966, "Here is information on your hero." You understand their anger on certain things.

You can agree under Jim Wold, who is not due, but after a year and 8 months is getting more of a feel for this, that with any families who have been most angry, you can start from scratch and say, now that we have the review out of the way, you wrote to them, or General Wold did, and signed it personally up to December 1995.

Let's try to start anew with some families and go over the files, and then when you have something that you don't think you can show them, please use me and I will go to the Intelligence Committee, and if the families start mistrusting me after all these years, we have problems bigger than I thought.

I will look at the documents and figure out how to expedite any freedom of information request or just look at them and say, believe me, I have read enough of these, there is nothing there, but don't even take my word, just trust me for a couple of months while we get this declassified and I get it to you and bring peace of mind to you.

Do you have any final questions, Owen?

Mr. PICKETT. No.

Mr. DORNAN. Thank you for your patience and for helping me.

I am exorcising a lot of demons on this and wondering if I could have done anything better over the years or in my first go around for 6 years as a Congressman or if I should have sat in on Bob Smith's hearings when I would hear over the grapevine that he was twisting in the wind and being railroaded in some ways.

One final question. Dak Chuong: Any updates on that? Is that a province? Is that a case? What is that?

Mr. GRAY. That is a city in southern Laos. It was on the Ho Chi Minh Trail.

There have been reports over the years that POW's were moved through that area. Some might have been held in that area. In the 1980's we have had reporting, HUMINT reporting sources coming in primarily, and saying that there was an American or two living in the area.

Several years ago I asked the live sighting investigator to go into Dal Chuong and find out what was going on. You have seen the reporting and the evaluation. There was something squirrely about Dak Chuong and going into the area. We don't know what was really going on. We are still getting reports that there is a Caucasian or two living in the area, and we are going to go back and check those reports again.

Mr. DORNAN. You are going to do live sighting investigations?

Mr. GRAY. We are going to look at some sources who have been through that area and see what they know about any Americans.

Mr. DORNAN. As chairman of this committee, I would like to ask if there is any press here. No press reporters, written, visiting TV journalists, or anybody. Then let me tell you and put you all on your word of honor that you won't hurt families from Somalia.

To show you how this problem continues, and I think I told you this at one of the other hearings, but there may be different people here, a young man, a ranger, world's greatest light infantry at Fort Benning, Kowalski, going to die in 7 or 8 days, saw 3 caskets go across the ramp at Mogadishu Airport, and there was nothing in the caskets at all. It was a symbolic ceremony that the Army said shouldn't have been done. The three caskets go across. He thinks there are remains in there, and there aren't. When it got on the C-5, they reverently took the American flags off and set the caskets aside because there was nothing there. Those were the three men in the back of the UH-60 that was shot down on 25 September 1993. That is 8 days before the October 3-4 fire fight from hell.

The two pilots survived long treatment for not too large a burn area but third degree burns, the worst you could get, on the back of the neck of the pilot on the left side, his copilot on the right side of his neck, and the back of their arms, and their collars fortunately were up as they had put their shoulder harness on. They had skin grafts, but the two pilots survived, when they looked back, it was white hot, was the way they described it; and our three men died in the back, 201st Airborne and a visiting 10th Mountain soldier.

When that helicopter crashed and the two pilots got out and hid down an alley and people walked by, hunting for them; and one threw a grenade in and it rolled to his feet, but it was a dud—God's will. We sent a patrol in to try and get the remains out of the back.

Christopher Reed, a young African-American, who was engaged to be married, a rocket-propelled grenade hit the wall in front of his face, blew off his right arm, and of course he is right-handed. I visited him up at Walter Reed. I told the story as a defense for people saying, "I don't care about the troops," which is ludicrous. He got married up there.

Now the next day they held up the remains of our men. They were not animal remains. You could tell it was burned harnesses, you can't fake that, and body armor. They held up the remains as a severe warning to our people what would happen if we lost another helicopter in that Bekaa area.

I just saw this film flip rerun the other night on CNN as a quick film clip of what men might face in Bosnia, God forbid. Eight days later when the fire fight took place, the worst since Vietnam, and Cliff Wolcott's helicopter went down, and then Michael Durant's helicopter went down. Michael Durant's copilot, like Morrissey, who did three tours in Vietnam as a Huey pilot, was 29 days from retirement. I learned that 3 days later at headquarters in Mogadishu.

He was on the west side and just coming back from terrible spine injuries from a crash in Arkansas, peacetime crash. He was taken out of the left side by one of the Medal of Honor winners, and Tommy Fields was taken out of the left side, and Davey Cleveland was taken out of the right side and captured alive—Durant told me

that to my face—beaten to death, we hope, before their bodies were dragged through the streets. In your line of work, you will understand this better than anybody. I don't believe the families know this, and it is not my place to tell them. But the worst of it was not over when those bodies were filmed by a Canadian who won a prize for having the guts to stand around and videotape it and photograph it, Paul something, from Toronto. But after they dragged the bodies, finally stripping them totally naked, even ripping their undershorts off, they weren't through with mutilating those bodies. On the House floor I finally decided, after 2 years of grief and to let people know what we were in for with these kinds of imprecise missions, I finally said on the floor that their arms and legs were cut off, and they were.

But that was not the worst of it, and it wasn't Cil, it was Dover that had to handle this. We were talking about five torsos—torsos—and they were burned, dumped on the steps of the U.N. headquarters alternately 2 days apart.

Those families, Ray Frank, his remains were cremated; two are buried in Maine; Tommy Fields and the Medal of Honor winner that tried to save him were buried in Maine. The other Medal of Honor winner, Randy Shugart, his father refused to shake Clinton's hand. That would be tough for the Secretary of Veterans' Affairs to accept. But he wouldn't shake his hand because he felt Quanta didn't know what he was doing as Commander in Chief, no mission, and that he had flown Aided down to Addis Ababa. So he didn't feel like shaking the President's hand and told him something I agree with, that you wouldn't know a military mission if it hit you in the face, what constituted a successful military mission. He is buried at Carlisle. And Davey Cleveland, who is the main one we saw dragged through the streets, is buried in Clarksville, Tennessee. So one cremation and four burials around the country.

These families got the remains back, the five from the Durant crash site, the two rescued Delta guys being two of the five. The other three never recovered to this day.

I went along with what the Army said, if we go into that helicopter site—and I flew right over the crash, it wasn't in the most dangerous area—they said, "You want us to do that, Congressman?" Here is Christopher Reed with his arm and leg gone, and maybe worse. "I said let it go; those are remains."

I am very impressed when you talk about retrieving off the floor of the ocean. I went to Vietnam on my first trip because of those two B-52's. They had a midair collision on the first B-52 raid of the war. An HU-16 landed. You will find that somewhere in the area, and rescuing some of the crews and trying to take off in rough seas, damage to radome, took on water. That night they looked back, and it was gone, and the rope was taut; they were towing the HU-16 Albatross under the water. Cut the line, let it loose. They needed another.

I and the Guard volunteered to go on active duty and bring another HU-16 to Danang; and shortly thereafter, they killed the program just as I was going to get activated for Operation Palace Guard to fly HU-16's to finally rescue up and down the coast.

They said, "Why are we doing this when we had one hit with a mortar on the wing and we had to send an H-3 in to rescue the

pilot that the HU-16 had just rescued?" That ended seaplanes and amphibians, and they went straight jolly green giant from then on. So I know well that 52 case.

And to go down at great American taxpayer expense, they are not going to find bones or remains, but they will find dog tags, personal equipment, two B-52's at the bottom; I heard you say three F-4's off the coast. That is impressive, but meanwhile here is a UH-60 sitting on a side street with probably teeth or shards of human remains and we are not going to go get them, and that is just 1993.

I understand it is a very tough business, and the black family in Chicago who was told there are no remains from your son in that September 25, 1993, crash, they said to them, "The remains of your son were burned until they were white ash." Not exactly true. I saw his remains held up in his body armor on television.

So I understand sometimes the military makes decisions that they think are going to be merciful. All of the commanders who said he is MIA when they knew he was dead, to keep the family on full pay, military pay, because the war was a stinking war with no victory plan, they now regret they did that to families. They got them some more military income and caused them years of grief. There are a lot of lessons to be learned from Vietnam.

But I keep saying it at the end of each hearing, and I will say again, let's get together here, coordinate what we do, work together, stop, as best we can, the tension. That stops the growth of a cottage industry of conspiracy theories and everything. And let's, this Christmas season, refocus on the families from Vietnam who are still being terribly insulted. Whether you agree with me on McNamara or not, that is psychological torture.

Of every person who lost a friend or a loved one in Vietnam, to have McNamara over there licking their boots—and that is exactly what that war criminal did—to have the President not mention Vietnam in his Bosnian speech that caused it to lose two or three points the night he made the speech, we are still in for one hell of a season in Bosnia. And God forbid you have any cases come out of there of missing-in-action or just crashes because of the weather.

General Wold, I want to help you when we get what we think will be the explosion with Korea, when they finally open up and that thing hits us; and it is going to take working this comprehensive review properly and setting down a pattern of how to handle this when we have these cases that are as tough as Vietnam compounded by another 25 to 30 years of longevity.

I have nothing more to say unless somebody has a comment. Thank you for being so patient.

One final thing. Were you as impressed with Mr. Bell's testimony as I was? Do you have somebody as good as Bill Bell in Hanoi at this time who speaks the language as well?

Mr. GRAY. I would defer to the Vietnam guys. We could use him in Laos.

Mr. SYDOW. Mr. Bell is an expert. I have great respect for his abilities.

Mr. GRAY. Very knowledgeable.



Mr. DORNAN. And would probably be the best man to take with me to Hanoi, if I go there, so I don't have to relearn the whole process.

Mr. SYDOW. His language capability is excellent.

Mr. DORNAN. Thank you very much.

[Whereupon, at 7:35 p.m., the subcommittee was adjourned.]



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